



April 22, 2021

Questions and Answers Report



Mayor Steve Adler

Mayor Pro Tem Natasha Harper-Madison, District 1

Council Member Vanessa Fuentes, District 2

Council Member Sabino "Pio" Renteria, District 3

Council Member Gregorio Casar, District 4

Council Member Ann Kitchen, District 5

Council Member Mackenzie Kelly, District 6

Council Member Leslie Pool, District 7

Council Member Paige Ellis, District 8

Council Member Kathie Tovo, District 9

Council Member Alison Alter, District 10

The City Council Questions and Answers Report was derived from a need to provide City Council Members an opportunity to solicit clarifying information from City Departments as it relates to requests for council action. After a City Council Regular Meeting agenda has been published, Council Members will have the opportunity to ask questions of departments via the City Manager's Agenda Office. This process continues until 5:00 p.m. the Tuesday before the Council meeting. The final report is distributed at noon to City Council the Wednesday before the council meeting.

QUESTIONS FROM COUNCIL

Item #5: Authorize the negotiation and execution of a loan agreement and related documents with Austin-Bergstrom Landhost Enterprises, Inc., to address hotel operating expense shortfalls and certain required administrative expenses under the 2017 Bond Indenture for calendar years 2020 through 2022, as a result of the financial impact of COVID-19 on the hotel enterprise, in an amount not to exceed \$2,600,000.

COUNCIL MEMBER ALTER'S OFFICE

- 1) *What is the total amount paid by ABLE and/or the City of Austin to the following entities from 2014 to present: Harney Partners; Harney & Associates; Harney Management Partners, LLC?*

From 2014 through 2018, Harney Partners was engaged under a contract for debt restructuring professional services related to the Austin-Bergstrom International Airport Hotel, which was approved by City Council on Nov 6, 2014. The contract provided for an amount not to exceed \$355,000 to be paid on a time and material basis. The contract termination date was December 31, 2017. ABLE Bond restructure was completed in October, 2017.

From February 1, 2018 – April 1, 2021 where Harney Partners provided services as President of ABLE, under a new Engagement Terms which provided that the compensation for such services was \$5,000 per month flat fee, paid in arrears.

February 1, 2018 – January 31, 2020 = \$120,000 (paid)
February 1, 2020 – March 31, 2020 = \$10,000 (paid)
April 1, 2020 – March 31, 2021 = \$60,000 (owed and deferred)

- 2) *Is there, or has there been, a specified monthly dollar amount in any agreement between ABLE, the City of Austin, and any of the following entities: Harney Partners; Harney & Associates; Harney Management Partners, LLC?*

Since February 1, 2018 the compensation reflected in the Engagement Terms for such services was \$5,000 per month flat fee, paid in arrears.

- 3) *What is the time for Greg Milligan's appointment to ABLE and the dates that he has served as ABLE President?*

June 2014 – Engaged as Restructuring Advisor for the City of Austin due to the stalled negotiations with vulture bond fund (that was holding ABLE debt).

September 2014 – Elected as VP and appointed as a Board Member of ABLE corporation, the first non-city/independent member of the Board.

February 2016 – Elected as President and assumed Board Chair role, replacing ABIA Executive Director Jim Smith.

February 2018 – Continued as President and Board Chair under Terms of Engagement.

February 2020 – Terms of Engagement contract renewed with same titles and Board position

January 2021 – Continued as President under the 2020 Terms of Engagement. Was replaced on the Board of Directors by Dept. of Aviation Thompson, Aviation Chief Officer – Administrative and External Affairs pursuant to Resolution of the Austin City Council dated January 27, 2021 appointing new Board Members for ABLE. No longer serves on the ABLE Board.

- 4) *In a March 22, 2021 memo, Jackueine Yaft with the Department of Aviation stated that requested ABLE bylaws changes “related to the president and the president’s compensation will allow ABLE to continue to utilize the services of Mr. Greg Milligan, and Executive VP of the Harney Group. Mr. Milligan has been a paid consultant for ABLE since the 2017 Bond issue where he was engaged as the hotel Restructuring Advisor, and later elected as president of ABLE and chairman of the ABLE Board.” Please explain why these proposed changes, as they relate to ABLE’s current and historic operations, are necessary.*

As noted above, the bond restructuring advisory work performed by Greg Milligan, (VP of the Harney Partners firm,) was requested by the City of Austin to assist with the restructuring and refunding of the 1999 bonds. . The ABLE Board wanted to continue to retain the services of Greg Milligan as the Hotel enterprise embarked on a significant capital development program (funded under the 2017 bonds) and to assist with the transition to the new requirements and programs under the 2017 Bond Indenture. Please see chronology in #3 above.

- 5) *On February 24, 2020 the ABLE Board of Directors met and contemplated an agenda item on the “Discussion and possible action on the proposed contract with Harney Management Partners, LLC.” Can ABLE confirm which individuals serving on the Board of Directors were present at this meeting, and which individuals voted on the item?*

Based on the audio recordings and the printed minutes of the meeting, the Board members in attendance were:

Greg Milligan, President
Susana Carbajal, Vice President
Elaine Hart, Secretary
Jim Smith, Board Member

The motion to approve the Harney Management Partners, LLC contract was made by Susana Carbajal and seconded by Jim Smith. While the written minutes indicate that the Board voted

4-0-0 to approve, it is apparent from the audio recordings that Mr. Greg Milligan did not vote on this item, nor did he verbally abstain or recuse from the vote.

- 6) *Are the minutes from the February, 24, 2020 ABLE Board of Directors meeting accurate? If not, in what ways are they inaccurate?*

Based on the audio recordings of the meeting, the minutes would be accurate if it reflected that the Board voted 3-0-0 to approve. It appears that the secretary for the ABLE Board did not identify this apparent administrative mistake in the development of the meeting minutes.

- 7) *Please provide details on whether the actions related to agenda item #5 on the February 24, 2020 ABLE Board of Directors meeting was handled in full compliance with our recusal requirements. Please provide details as to the formal policy as to whether and when members of the ABLE Board of Directors would be required to recuse themselves from a vote and, under those circumstances, what are the recommended actions to document that recusal.*

The Dept. of Aviation has requested information from Law to answer Question 7. We are awaiting that information.

- 8) *The minutes for the January 25, 2018 ABLE Board of Directors meeting states that the Board discussed an item with the following description: "Discussion and possible action on the proposed contract with Harney Management Partners, LLC. A motion to enter a contract with Harney Management was made by Art Alfaro, seconded by Elaine Hart. The Board voted 3-0-1 to enter into a contract with Harney Management. Greg Milligan abstained." Why did Greg Milligan abstain from this vote?*

The current Dept. of Aviation staff does not have direct information at this time regarding the events of that meeting or the intentions of Mr. Milligan.

- 9) *On March 26, 2021, the ABLE Board of Directors voted on an agenda item with the following description: "Discussion and possible action to approve the negotiation and execution by the ABLE Vice President of a contract with Harney Partners, Inc., for the services of Greg Milligan, Exec. V.P. to serve as the President of the Corporation for an approximate fee of \$5,000. per month (plus out of pocket expenses), and for an initial term not to exceed three years. (subject to the subsequent approval of the Amended and Restated Bylaws by the Austin City Council) (Presented by Tracy Thompson, Board Member)." Can ABLE confirm which individuals serving on the Board of Directors were present at this meeting, which individuals voted on the item?*

The Board members attending this meeting include:

Tracy Thompson, Vice President
Mookie Patel, Treasurer
Jennifer Williams, Secretary
Leslie Thorne, Esq., Board Member
Angelo DeCaro, Board Member

With respect to Item 12 on the Agenda Board member Angelo DeCaro moved the motion to approve and Board member Leslie Thorne seconded the motion. The Board voted 5-0-0 to approve.

- 10) *As it relates to the March 26, 2021 Board of Directors meeting, can you provide additional information on why action on the aforementioned agenda item included the clauses: "subject to*

*the subsequent approval of the Amended and Restated Bylaws by the Austin City Council”?
Please clarify why that clause was necessary on that action item.*

The intention of the inclusion of the phrase (that an action if taken would be subject to the approval of the City Council of the Amended Bylaws) is to address any anticipated addition/changes in the President’s scope of services in a new contract which needs to be consistent with any proposed change in the Amended Bylaws as would be subsequently approved by City Council and the addition of the following to the Bylaws related to the powers of the President:

“..... (ii) authorize any contract without Board approval if the term of such contract does not exceed one year and that amount associated with such contract does not exceed \$5,000; and (iii) direct the Treasurer to pay expenses of the Corporation not to exceed \$5,000 individually, in in such greater amount if specifically authorized, or pursuant to a budget approved by the Board of Directors.”

These additions/changes to the Bylaws are recommended by the ABLE Board for approval by City Council to provide more clarity to the limitations of the President’s authority in performing the duties of President.

11) During the April 20, 2021, Council work session, staff indicated that postponement of item 5 on the April 22, 2021, Council Meeting Agenda would result in various financial difficulties and continued non-payment to vendors. Please provide additional details about those implications including:

a. A list of vendors who remain unpaid and are anticipated to be paid upon approval of this agenda item and the service(s) they provided; and

b. details as to the dates each of the invoiced expenses were incurred; and

c. when those vendors provided the initial invoices for those expenses; and

d. the specific amounts for each vendor; and

e. information on what conversations have been had, to date, with those vendors regarding the length of time that has passed without payment since they initially provided those invoices for payment; and

f. details on the the average length of time ABLE normally requires to complete payment to vendors after receiving an invoice for payment; and

g. if any of these vendors have received a payment for services in the past, please provide details on at least the last two times they provided an invoice for services they provided, including the dollar amount and the type of service they provided, the date they initially provided an invoice for services and the date payment for that invoice was completed; and

h. for each of the vendors who have outstanding invoices which ABLE has not paid, who we anticipate would be paid upon approval of item #5, please provide an itemized list of the total amount paid by ABLE to each of the vendors over the last 6 years; and

i. details on when ABLE first determined they would be unable to pay these vendors absent approval of item #5; and

j. any additional information ABLE believes would provide useful context to this decision.

In August, 2020 the Dept. of Aviation did an analysis of the forecast of the COVID pandemic impact on the operating costs and revenues related to the Hotel enterprise. Dept. of Aviation and ABLE determined that the cash flow for the Hotel could sustain the reduced operating requirements (costs) to January/February, 2021, and decided to focus the available cash flow to cover essential operational expenses, and payroll to sustain guest services/accommodations, and to defer payments to the largest vendors (such as the Franchise Fees, the Presidents fee, a reduction of the Management Fee, etc.).

Potential impacts include assessed late fees from the Hilton Corporation, as well as potential late fees from other vendors. Vendors may also terminate contracts due to non-payment, or begin collection proceedings against ABLE. Please note the Loan is intended to pay for the following contractor and franchisor Accounts Payable:

Vendors with invoices greater than 30 days past due			
Vendor	Amount Due	Oldest Invoice	
As of March 31, 2021			
Greg Milligan	\$60,000	Apr-20	
Streausand	\$38,854	May-20	
Hilton Hotels	\$520,942	Jul-20	*** vendor requesting payments - Late Fees accumulating
Boykin Prospera	\$204,177	Aug-20	Reduced Management Fee by 50% since Oct 2020
City of Austin - Occupancy Tax	\$93,030	Jan-21	Paid Quarterly
City of Austin - Admin Fee	\$111,000	Apr-20	
City of Austin - Rent	\$190,056	Apr-20	
Total	\$1,218,059		

Therefore, the determination as to defer payment on these accounts was made in August, 2020 and great efforts have been made since then to manage the financials during the pandemic and to develop the Loan Agreement as a component of the COVID Resiliency Program for the Hotel enterprise.

We believe this chart reflects the details regarding the dates, amounts and identification of vendors that are the major component for the Loan Agreement. As noted above, the majority of the Accounts Payables are aged 12 months. The Hilton Corporation will be assessing late fees for non-payment of franchise fees. It is unknown if other vendors will assess late fees, terminate their contracts for non-payment, or institute collection proceedings against ABLE, as it has been anticipated that the Loan Agreement proceeds would be available in April/May of 2021.

To address the sub- questions/items below – pleased note: It is intended that the recap of the Accounts Payable reflected in the chart provides sufficient information related to this question.

Copies of the invoices for these large vendors are on file, and can be provided in the future, if needed.

QUESTIONS FROM WORK SESSION

1) What impact will a postponement of Item 5 (Loan Agreement) have the workers or Hotel Employees? (Fuentes)

Status of Airport Hilton Hotel Employees.

These items do not impact any employees of the Airport Hilton Hotel. Additionally, UniteHere Local 23 does not currently represent any employees at the Airport Hilton Hotel.

Loan Agreement - Hotel Employee Payroll.

All employees at the Airport Hilton Hotel have continued to receive payment from operating revenues of the Hotel enterprise. The Loan Agreement before Council is not tied to the pay of the employees of the Airport Hilton Hotel.

2) What impact will a postponement of Item 5 (Loan Agreement) have on the ABLE Corporation? (Fuentes)

The majority of the Accounts Payables listed in the chart below are aged 12 months. Potential impacts include assessed late fees from the Hilton Corporation, as well as potential late fees from other vendors. Vendors may also terminate contracts due to non-payment, or begin collection proceedings against ABLE. Please note the Loan is intended to pay for the following contractor and franchisor Accounts Payable:

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3) Meetings with Bo Delp UniteHere Local 23. (Casar)

Pursuant to Council's question related to meeting with union representatives, the information below provides a timeline and efforts by the Dept. of Aviation and ABLE to coordinate discussions since February:

A. February 22, 2021, Dept. of Aviation (Tracy Thompson, Chief Officer-AUS) sent email to Mr. Delp offering to meet virtually with Greg Milligan (Pres. of ABLE) and Dept. of Aviation.

B. February 25, 2021, the virtual meeting was held and a good exchange of information and questions answered occurred. At that time, Mr. Delp made the recommendation

that the Bylaws (to be amended) should include the requirement that “any management agreement should be approved by City Council.

C. March 25, 2021 (the day prior to the ABLE Board meeting to approve the amended Bylaws along with other matters), Dept. of Aviation and Mr. Delp had a conversation indicating that the he was requested stronger language related to the Bylaws. Also during that conversation, Mr. Delp suggested that he meet with the Management Company representatives, but declined Dept. of Aviation’s offer to facilitate the meeting.

D. March 26, 2021 was the virtual ABLE Board Meeting Date. Mr. Delp was a public citizen attendee. During the motion on the Amendment to the Bylaws, Dept. of Aviation read into the record updated language that was stronger in an effort to meet Mr. Delp’s requests.

E. April 7, 2021 Dept. of Aviation called Mr. Delp to see if he had scheduled his meeting with the Prospera Management Company. Mr. Delp agreed to allow Dept. of Aviation to provide to Prospera his contact information to contact him for the purpose of a meeting. Dept. of Aviation sent an email to Greg Milligan, President of ABLE on April 7, 2021 to coordinate a meeting.

F. April 16, 2021 a virtual meeting was held between Greg Milligan, President of ABLE, the President and COO of Prospera, and representatives from UniteHere. At the end of the meeting the UniteHere representatives were asked if any follow up meetings were needed, and it was clear that UniteHere representatives did not request additional meetings.

G. April 19, 2021, in good effort the Dept. of Aviation has coordinated additional meetings between Mr. Delp and Prospera Management Company for the next few weeks to discuss any new matters.

H. On April 20, 2021, Mr. Delp called Dept. of Aviation to get information related to the Accounts Payable vendors and amounts that are related to the first draw under the Dept. of Aviation Loan to ABLE. Dept. of Aviation provided that information, as reflected in the chart under #2 above.

4) How you and the other staff established this salary for the President of ABLE (\$5,000/month) and what the expectations for that role? (Tovo)

2018 Engagement Terms – Harney Partners

In February, 2018 the ABLE Board of Directors approved the terms of engagement for Gregory Milligan, Executive VP of Harney Management Partners, LLC in Austin Texas as the President and Chief Restructuring Officer for ABLE, pursuant to specific Terms of Engagement. The scope of services and the fees for services were negotiated at that time.

Under the Engagement Terms, the scope of services to be provided by the President and Chief Restructuring Officer included:

Participate in weekly construction meetings, and manage the Hotel's HVAC/mold remediation project with Hotel contractors

Participate in similar construction meetings related to the Hotels Product Improvement Plan (major Hotel renovation program)

Serve as ABLE's representative for matters pertaining to:

- The 2017 Bond Trustee

- Annual financial audit meetings, reviews and related matters

- Franchise and operating matters with Hilton and Prospera

- Landlord/tenant matters with the City of Austin

- Matters with ABLE's counsel

Review and approve weekly operating expense disbursements and periodic requests for capital

Review of monthly operating statements

Participate in preparation and approval of annual operating budgets

Review and approve/reject routine ABLE matters that don't require Board consideration

Organize and conduct regular meetings of the ABLE Board of Directors

Perform other routine matters that arise in the ordinary course of business.

Under the 2018 Engagement Terms, the compensation for such services was \$5,000 per month flat fee, paid in arrears.

The term of the 2018 agreement with Harney Partners expired on January 31, 2020.

2020 Engagement Terms – Harney Partners

On February 24, 2020 the ABLE Board of Directors approved new Terms of Engagement with Harney Partners, effective February 1, 2020. The scope of services reflected in the 2020 Terms of Engagement were substantially the same as the 2018 scope of services. Minor changes (such as removal of the Mold remediation project which was previously completed) were incorporated to reflect changes in circumstances at the Hotel. Under the 2020 Engagement Terms, the compensation for such services was \$5,000 per month flat fee, paid in arrears, reflecting no increase in compensation.

The 2020 Engagement Terms end on January 31, 2022, with rolling automatic one year renewals each following year if not terminated by either ABLE or Harney Partners 30 days prior to the renewal date.

COUNCIL MEMBER FUENTES' OFFICE

1) ABLE's Debt Service Reserve Fund - what is the current status and/or balance of the DSRF? How has this been impacted during the pandemic? Are any additional transfers into this fund anticipated as a result of debt incurred during COVID-19?

The current balance in the DSRF (Debt Service Reserve Fund) is \$3,952,691.63. Bond Trustee drew \$1.56M out of the DSRF to make the October 1, 2020 payment and it was replenished by the Airport. There is a current request for another draw as of the April 1, 2021 debt payment in the amount of \$1.084M. The airport replenished the October 1, 2020 draw and will have to replenish the April 1, 2021 draw within 120 days from the notification by Bank Trustee. The Airport anticipates it will have to replenish the DSRF for October 1, 2021 debt payment and April 1, 2022 payment. So, the total anticipated and already provided Debt Service replenishment will be \$5.9M.

2) ABLÉ's second loan request under the Paycheck Protection Program - provide an update on the use of the first loan. How much of that loan was provided for direct hotel employee relief? How many employees will be provided relief through a potential second loan? What type of employees does that include specifically employed by the Hilton airport (front of house, management, etc)?

PPP1 – 83% was used towards payroll or \$750,586.

Hotel re-hired 75 associates out of the 123 FTE per loan application. Identified 46 projects totaling 22,440 work hours.

PPP2- Estimated \$1,041,870 or 82% to be used for frontline payroll and management payroll

3) It appears hotel management fees continue to increase despite COVID relief efforts. If this is the case, what percentage in increases was experienced pre-COVID? Are these management fees expected to increase beyond the issuance of the proposed loan?

Boykin Prospera, Management Company, cut their management fees by 50%, \$18,393/month as of Oct 2020. Prior to that it was \$36,786/month. The current management agreement was entered into October 1, 2017.

ARTICLE 10 MANAGEMENT FEES AND PAYMENTS TO MANAGER

10.1 Owner shall pay to Manager, on a monthly basis, for services rendered under this Agreement a management fee (the "Base Fee") equal to \$34,563 per month, adjusted annually so as to increase (but not decrease) the Base Fee by the same percentage as any percentage increase in the CPI from the CPI in effect on the first day of the first month of the previous Fiscal Year to the CPI in effect on the first day of the first month of the current Fiscal Year; provided, however, no such CPI increase shall exceed five percent (5%) in any Fiscal Year.

Item #18: Authorize negotiation and execution of a legal services agreement with Hornberger, Fuller, Garza & Cohen for legal services related to real estate contract negotiations for the acquisition of a warehouse for Austin Energy, in an amount not to exceed \$175,000.

COUNCIL MEMBER TOVO'S OFFICE

1) Please describe what kind of warehouse Austin Energy is seeking, and why? What are the parameters AE is seeking in terms of warehouse size, lot size, and location? What existing City

properties has AE considered? Why is AE engaging an external law firm to assist with a real estate transaction rather than using the city's real estate offices?

The proposed facility is part of the Austin Energy Facilities Master Plan (attached) and will incorporate warehouse, shop space, office, outside storage and laydown yard allowing Austin Energy to consolidate operations from the Ryan Drive, Todd Lane and Decker Lane sites. Here is a link to the April 24, 2017 presentation by Mark Dombroski and Lauraine Rizer to the Austin Energy Utility Oversight Committee: <https://austintx.new.swagit.com/videos/04242017-522>

The City Council directed the Ryan Drive location be redeveloped (resolution 20181101-024) and for which an RFP has been issued and is in negotiation: <https://austintexas.gov/departments/6909-ryan-drive>.

Austin Energy currently leases and has out-grown warehouse space on Todd Lane which is predominately used for smart meter programming, testing and distribution. The Decker Lane site is constrained and not suited for this larger full service operation.

The new site will allow Austin Energy front line employees to work in modern, more efficient conditions, improve organizational effectiveness, emergency preparedness, customer service and overall productivity.

The RFP specified 130,000 sqft of warehouse, 15,000 sqft of office and 185,000 sqft of laydown yard (with ability for expansion of an additional 15,000 sqft office and 20,000 sqft warehouse). The geographic area was the AE service area, however the respondents were all in the eastern half of the City, predominately north and south with some central. They generally align with Imagine Austin Job Centers.

Other City and AE properties (Johnny Morris, Kramer, E. Riverside/Grove) were considered as well as a private development proposal however the need to replace operations at Ryan Drive necessitate a shorten time frame which the P3 approach has proven to deliver at the Permitting and Development Center and Austin Energy Headquarters.

The proposed external law firm will work with the Office of Real Estate Services, the P3 Program Manager, and the law department on this transaction. The proposed firm represented the City during the negotiation and acquisition of the new Austin Energy Headquarters and brings specific expertise on structuring the acquisition and development of newly-constructed facility on behalf of a governmental entity. The project required expertise and a commitment of time that the Law Department cannot provide.

Item #20: Approve an ordinance creating the Emergency Communications Department; amending the Fiscal Year 2020-2021 Austin Police Department (APD) Operating Budget (Ordinance No. 20200812-001) to transfer out 222.0 full-time equivalent positions and decrease funding in the APD Decouple Fund by \$16,085,640, which transfers the positions and funding for the Emergency Communications Division to the new Emergency Communications Department; amending the Fiscal Year 2020-2021 APD Operating Budget (Ordinance No. 20200812-001) to transfer out 62.5 full-time equivalent positions and decrease funding in the APD Decouple Fund by \$17,020,863 and the APD Reimagine Safety Fund by \$7,163,697, which transfers the positions and funding for the APD Alarm Administration Unit to the Development

Services Department, transfers APD Human Resources to the City's general Human Resources Department, transfers the APD Public Information Office to the Communication and Public Information Office, transfers APD Facility Maintenance to the Building Services Department, transfers APD Finance to the Financial Services Department, includes varying transfers in accordance with the APD staffing plan and zero-based budget review, decreases the transfer from the General Fund to the APD Decouple Fund by \$33,106,503, and decreases the transfer from the General Fund to the APD Reimagine Safety Fund by \$7,163,697, and increases funding in the amount of \$23,632,770 for the Austin Police Department to transfer funding to the Support Services Fund for the decoupled units and adjust the budget in accordance with the APD staffing plan and zero-based budget review, and increases the transfer from the General Fund to the Development Services Fund by \$551,790; amending the Fiscal Year 2020-2021 Support Services Fund Budget (Ordinance No. 20200812-001) to transfer in 56.5 full-time equivalent positions and increase funding in the amount of \$2,357,848 to the Human Resources Department, \$548,540 to the Communication and Public Information Office, \$1,880,723 to the Building Services Department, \$16,447,189 to the Financial Services Department; and amending the Fiscal Year 2020-2021 Development Services Fund (Ordinance No. 20200812-001) to transfer in 6.0 full-time equivalent positions and increase funding in the amount of \$551,790 to the Development Services Department.

COUNCIL MEMBER TOVO'S OFFICE

- 1) *From the 2020-21 budget adoption to date, please show how reinvestments from the "immediate reinvestment" category of APD's budget have been used and in what amount. In list form, please provide details about purchases, investments, the names of the contracted vendors / nonprofits, the nature of the contracted work and proposed populations to be served, contract amounts, and contract terms.*

If applicable, please estimate any funds that may be unexpended from the "immediate reinvestment" category.

Below details reinvestments from APD's budget to other departments and the services and programs being used with the funding, as approved at FY 2021 budget adoption. Further time will be required to provide information regarding details about purchases, contract information, and proposed populations to be served, as this reinvestment spanned 11 departments and offices.

Austin Police Department Reinvestments (Approximately \$31.5 million)

EMS COVID-19 Response: In order to support increasing call volume for Emergency Medical Services during the pandemic and the overall growing needs in Austin, \$3.5 million is reinvested and 46 new positions are added. Additionally, though not a reallocation from APD's budget, \$1.3 million is added to the capital improvement budget to purchase two ambulances and necessary equipment.

ET3 Model Funding: As part of a new program called ET3 from the Centers for Medicare and Medicaid, \$147,000 is reinvested for Emergency Medical Services to fund two temporary consultants to implement the new program.

Equitable Access to Abortion: \$100,000 is reinvested toward funding for residents seeking logistical and supportive services for abortion care, including services such as transportation, childcare, and case management.

Family Violence Shelter and Protection: \$2.1 million is reinvested to fund a service provider to operate and manage a protective shelter from family violence. Additionally, though not a reallocation from APD's budget, \$12.0 million is added to the capital improvement budget to acquire a hotel to house the shelter.

Food Access: \$400,000 is reinvested to support a mobile food market program, targeting vulnerable communities in the eastern crescent of Austin.

Housing Trust Fund Increase: \$1.0 million is reallocated to the Housing Trust Fund, which is dedicated to preserving and creating reasonably priced housing in the city of Austin by leveraging federal funds to plan and develop affordable housing projects. With this additional influx of funding, the Housing Trust Fund is funded at a level \$300,000 in excess of the amount called for by prior Council resolutions.

Increased Funding to Austin Public Health: \$1.8 million is added to Austin Public Health's budget for four epidemiologists, an early childhood program coordinator, mental health services, family violence prevention programs, and immigrant legal services.

Increased Funding to Management Services: A total of \$3.0 million is added to Management Services' budget to increase funding to the Office of Police Oversight (OPO) and the Equity Office, as well as to provide funding for a rewrite of the Austin Police Department's General Orders and Police audits and implementation of audits. Nine positions are added to OPO and five positions are added to the Equity Office that enables them to sufficiently perform their missions and fulfill Council directives.

Juneteenth City Holiday: Establishing Juneteenth as an official City holiday, \$42,000 is reinvested in the budget for costs related to non-sworn personnel.

Mental Health First Response: A total of \$3.7 million is directed toward increased funding for mental health response, of which \$1.4 million is focused toward expanding and enhancing the Integral Care-EMCOT contract for clinical staff and telehealth services and \$225,000 is directed toward community outreach to underserved communities, program implementation, and interagency coordination. \$137,000 is also dedicated to the Homeless Outreach Street Team for a contracted, qualified mental health professional. The remaining \$2.0 million is redirected to expand the mental health diversion initiative within the Community Health Paramedic Program by adding 14 new positions and necessary equipment.

Mobility Services Officer Study: \$30,000 is reinvested to complete a classification study for a Mobility Services Officer position, which could assume traffic enforcement duties that are not required to be conducted by sworn police officers.

New Civil Rights Office: \$300,000 is reallocated to supplement the newly formed Civil Rights Office, which will expand on previous City initiatives, including enforcement of City

ordinances and federal statutes prohibiting discrimination in employment, housing, and public accommodations.

Office of Violence Prevention: \$1.9 million is reinvested to establish the Office of Violence Prevention, which will be housed in Austin Public Health and include three full-time positions. The Office is responsible for shaping policy and coordination of violence reduction, including gun violence prevention, and community safety strategies.

Permanent Supportive Housing and Services: \$6.5 million is reinvested in permanent supportive housing and services, including rapid rehousing, in accordance with the Austin Action Plan to end Homelessness.

Police Records Management System: In partnership with the Communications and Technology Department, approximately \$2.0 million is reallocated within the Austin Police Department budget to fund a replacement of the current 15-year old records management system the Department currently uses. This cloud-based solution will allow for more-efficient records keeping while reducing system maintenance and downtime.

Police Training: A total of \$900,000 is reallocated within the Austin Police Department budget to fund targeted training related to trauma-informed response, unconscious bias, and racial and cultural sensitivity. Funding is also included for training on, and distribution of, Naloxone so that a police officer can provide emergency assistance when confronted with an individual experiencing a drug overdose.

Policing Technology Innovation: \$100,000 is reinvested in the Innovation Office to contract a solutions architect, focusing on equity in policing technology. This contracted position will research, analyze, and document effective business applications and their requirements in support of business-oriented information technology implementations.

Rapid Re-Training Initiative for an Equitable Recovery: To support low-income Austinites experiencing unemployment during the pandemic, \$1.4 million is reinvested to include, but not limited to, outreach to the unemployed and recent high school graduates, free or subsidized tuition and fees at Austin Community College, job training programs, stipends, small cash incentives for meeting milestones, digital inclusion, job placement services, and transportation and childcare as needed.

Substance Use Continuum of Care: To increase harm reduction services by expanding and supporting drop-in centers and mobile outreach clinics for individuals in need of substance use treatment and care, \$1.0 million is reinvested toward this program.

Support Services for Previously Incarcerated Individuals: \$400,000 is reinvested to provide resources and facilitative support services to Austin residents who were formerly incarcerated. Services may include preparation for entering the workforce, temporary housing, food security, counseling, and other services as needed.

Urban Trails Maintenance: \$300,000 is reinvested to fund a new trail maintenance Parks and Recreation crew, including four full-time positions. Additionally, though not a reallocation from APD's budget, \$700,000 is added in the capital improvement budget for

the purchase of trails equipment, including dump trucks, motor graders, and steel drum rollers.

Victim Services: \$500,000 is reinvested toward Victim Services, within the Decouple Fund, by allocating funding for four full-time positions and necessary equipment for counselors to provide vital services to victims of violent crime.

Workforce First Program: \$150,000 is reinvested to the Workforce First Program to grow the employment program for individuals experiencing homelessness and to apply more resources to housing and eviction mitigation support services for clients recently housed.

- 2) *The April 9, 2021, memo states that “it is important to note that with the decrease to the Reimagine Safety Fund, additional parks or traffic enforcement services will require new budget funding.” Please provide the amount of new funding that will be required for parks and traffic enforcement services and from where in the budget new funding is being proposed for these services.*

In the April 21, 2021 memo, staff indicated that after further review of the reallocation of resources for the APD staffing plan budget amendment, staff has decided to leave \$6.9 million (Item #20) within the Reimagine Safety Fund to allow staff to continue to evaluate the APD staffing plans for specialized units, such as Parks Police and Traffic Enforcement. Any analysis going forward will be informed by decisions made during the Reimagining Public Safety process.

- 3) *The April 9, 2021, memo states that “after reviewing the services provided by APD’s Emergency Communications Division and researching how other comparable jurisdictions manage emergency calls, City Management recommends removing these functions from APD and establishing a stand-alone, independent Emergency Communications Department reporting directly to the Assistant City Manager for Public Safety.” Please list jurisdictions that manage emergency calls in a manner similar to the proposed stand-alone independent agency or the jurisdictions the City consulted.*

The following three agencies in Texas that are independent Emergency Communications Centers (ECCs).

- North Texas Emergency Communications Center
 - Board run and controlled 51% by law enforcement
 - Four (4) jurisdictions (Carrollton, Coppell, Farmers Branch, and Addison) served encompassing all emergency radio communications (police, fire, EMS)
- Williamson County Communications Center (Williamson County, Texas)
 - Director reports directly to the County Judge
 - 22 State and local law enforcement agencies, 12 fire departments, and Williamson County EMS
- Borger Regional Communications Center (Borger County, Texas)
 - Board run and controlled 51% by law enforcement
 - 13 local, State, and Federal agencies

- 4) *When will a proposed timeline for the Emergency Communications Department be finalized?*

Staff has begun putting together a detailed project plan and will provide an update by May 31st. Time is needed to determine what will be required for major project components such as

technology requirements and addressing over 60 interlocal/master control agreements while continuing to work on the AustinCARES project.

- 5) *Please provide the titles of the FTEs proposed to be removed from APD and transferred to Building Services, Financial Services, CPIO, and Human Resources. Will these FTEs also be moving their office locations?*

Building Services: 1 Building Services Manager, 1 General Maintenance Supervisor II, 1 Facility Service Specialist, 1 Maintenance Worker Leader, 2 Maintenance Worker III's, 1 Maintenance Worker II, 1 Buildings and Grounds Specialist

Financial Services: 1 Chief Administrative Officer, 1 Program Manager III, 2 Financial Manager II's, 1 Financial Manager I, 1 Accounts Payable Supervisor, 3 Financial Analyst III's, 3 Accounting Associate II's, 2 Accounting Associate I's, 2 Contract Management Specialist III's, 2 Contract Management Specialist I's, 1 Inventory Control Manager I, 1 Inventory Control Supervisor II, 1 Inventory Planner I, 3 Inventory Control Specialist II's, 2 Grants Coordinators

CPIO: 1 Public Information and Marketing Program Manager, 1 Marketing Communication Consultant, 3 Public Information Specialists Sr.'s (these positions were already moved in the FY21 Approved Budget – this budget amendment moves the funding associated with these positions)

HRD: 1 Human Resources Manager II, 3 Human Resources Supervisors, 1 Performance Advisor, 3 Human Resources Advisor Sr.'s, 1.5 Human Resources Advisors, 10 Human Resources Specialists, 1 Human Resources Assistant Sr., 1 Occupational Health and Safety Coordinator, 1 Administrative Specialist

The 6 FTEs moving to DSD supporting the alarm administration will physically move to the DSD office.

All other FTEs will currently remain at their current office location, except the BSD Manager will have an office at both the BSD facility and the APD facility.

- 6) *Please provide a breakdown of the total amount of \$4,476,458 for the Travis County Interlocal for booking services, Axon Body Worn Camera, and AT&T cell phone contracts that are proposed to be transferred to the Support Services Fund.*

The \$4,476,458 budget amount is related to the Axon and AT&T contracts. The Travis County Interlocal agreement budget is separate from that but is also proposed to be decoupled to FSD in this amendment. Details below:

Travis County Interlocal: \$6,740,737

Axon Contract: \$3,511,173

AT&T Cell Phones: \$965,285

- 7) *From what division within the Reimagine Safety Fund will the \$228,077 be transferred from for the Support Services Fund?*

The \$160,451 is for funding related to two civilian grants coordinators currently budgeted in the Traffic Enforcement division. \$67,626 is for funding related to a civilian facilities maintenance position currently budgeted in the Training division.

- 8) *Please post the final version of APD leadership's revised staff plan with dates of implementation.*
APD will send a memo to Council once the plan is finalized and reviewed by the City Manager's Office.

- 9) *Please provide additional details as to the rationale and implications of the partial reassignment of the DWI Enforcement Unit.*

The DWI Enforcement Unit will be reassigned back to patrol on June 6th. The rationale for this unit being chosen was two-fold: first, members of the unit are being placed on evening and night shifts throughout the city, and will retain their equipment and vehicles necessary to continue their function of DWI enforcement. When not tasked with higher priority calls on patrol, they will be tasked with continuing their DWI enforcement function. Secondly, this unit was selected because DWI enforcement is a function that ALL patrol officers are capable of performing, and as we have to go through the difficult decisions of which units must be reduced or suspended, we are examining whether the function of that unit can be assumed by another unit or by patrol.

- 10) *What is the timeline and estimated costs for re-establishing a Marshal Program to be managed by the Municipal Court?*

The tentative timeline is 6-18 months and the estimated costs for re-establishing the Marshal Program for the first year \$2.8 million and ongoing costs is \$1.45 million.

- 11) *Should the items on the 4/22 agenda be approved, please provide the ending balances for the "Immediate Reinvestment Fund," "Reimagine Public Safety Fund" and the "Decouple Fund."*

With the adoption of the FY21 budget, City Council created two funds: the Decouple Fund and the Reimagine Safety Fund. The approved ending balance for the Reimagine Safety Fund and Decouple Fund is \$0. Departments are currently working on estimated budgets as part of the Proposed Budget work that will be completed in the coming weeks which could change the estimated ending balance. Immediate reinvestments from the APD budget were reallocated among 11 department and office budgets, and these reallocations are budgeted within the department or office's operational budget.

- 12) *Draft Recommendation #4 of the 911 Working Group of the Reimagining Public Safety Task Force recommends the following:*

"Ensure language access for residents with Limited English Proficiency in all emergency response call centers.

a. Establish a standardized language access procedure used by all emergency response for callers with Limited English Proficiency (LEP).

b. Provide culturally and linguistically appropriate outreach and education to ensure the community understands the process and know how to use the services.

c. Call takers must undergo community based cultural competency training and regular refresher training for working with communities with Limited English Proficiency.

d. Text messaging should be added as an option for accessing emergency response."

In June of 2016, an audit was conducted on City services and language access. The first recommendation of the audit stated that, "in order to address the first three components of the

language access framework, the City Manager or designee should establish a stakeholder team including, but not limited to, representatives from the City Manager's Office, the Law Department, HRD management, **the public safety departments**, and members of the public, to design a language access program that:

- addresses and aligns with the components identified in the language access framework;
- meets the needs of the Austin community requiring language assistance services;
- ensures an efficient and effective allocation of resources; and
- complies with the requirements of Executive Order 13166 and other regulations, as applicable."

City Management at the time concurred with this recommendation. In addition, the audit noted "a public safety concern related to deaf individuals in an emergency event. The current option to contact and communicate with the 911 call center is to use a TTY phone. Stakeholders from the deaf community noted that this technology is outdated. However, City staff noted a plan to implement a text-to-911 option for emergency services by the end of 2016."

Please provide an update on the 2016 plan to implement a text-to-911 option for emergency services. If not implemented, please provide the cost estimate for implementation and operation. Please provide an update on the status of Recommendation #1 as it relates to APD's language access framework, meeting the needs of the Austin community requiring language assistance services, ensuring an effective allocation of resources, and complying with Executive Order 13166.

Please provide information and the departmental policy relating to how emergency response for callers with limited English proficiency are currently routed and interpreted. Please provide the estimated cost for call takers to undergo cultural competency training and regular trainings for engaging with communities with limited English proficiency.

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 13) Draft Recommendation #5 of the 911 Working Group of the Reimagining Public Safety Task Force calls for a "multilingual education campaign to raise awareness regarding appropriate emergency service use." What is the estimated cost for such a campaign? Does the contemplated budget for the Emergency Communications Department include funding for such a campaign? Or can this be accomplished by the FTE(s) being transferred to CPIO with funds from CPIO?

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 14) Draft Recommendation #7 of the 911 Working Group of the Public Safety Reimagining Task Force recommends to "remove any reference to or unfounded training on 'Agitated Chaotic Event' or 'Excited Delirium' in the Crisis Call Curriculum. Examine if references for this appear in APD training academy or General Orders." Please verify if these references are included in the revised (or forthcoming) APD cadet training academy materials or APD General Orders.

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further

analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 15) *Recommendation #1 and #2 of the Public Health Reinvestment Working Group of the Reimagining Public Safety Task Force calls for a \$4 million community health worker pilot program that would hire 50 Community Health Workers, a \$500k evaluation of the pilot program, and the establishment of a \$4 million community health worker training, certification, and network hub. Recommendation #3 calls for 1,000 Community Health Workers by 2025 at a cost of \$70M. The 2018 Community Health Austin / Travis County 3 Year Action Plan recommended that by 2023, we should increase the employment of certified Community Health Workers (CHWs) and service coordinators by 10% to help residents navigate the health care system and promote health literacy. At the April 7, 2021, Health and Human Services Committee meeting, Austin Public Health stated that they support making a significant investment in a community health worker program but that our community doesn't have enough training and ongoing job opportunities in our community for community health workers. Can Austin Public Health please provide information about the City's current level of investment in community health workers, their work with HRD to create a career ladder for public health workers within Austin Public Health, and other information as appropriate to the subject of funding for community health workers?*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 16) *The Public Health Reinvestment Working Group of the Reimagining Public Safety Task Force calls for the City to fund and expand community-based harm reduction services for substance use and misuse. FY 2020-21 Budget Question #32 asked if the proposed budget included any funds for harm reduction and, if so, at what amount. The response included funding related to training on Naloxone, among other responses, though it did not respond to the question of funding for harm reduction services. The response also said that the rewrite of the General Orders will include the use of identified harm reduction strategies. Please provide an update on the rewrite of the General Orders as it relates to harm reduction strategies. Please provide an update on the funds allocated for "substance use continuum of care" from the "immediate reinvestment" category of the FY 2020-21 adopted budget.*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 17) *The Public Health Reinvestment Working Group of the Reimagining Public Safety Task Force calls for a \$14 million Harm Reduction Housing First program. Please describe how a "harm reduction housing first program" differs from the City's current Housing First approach.*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 18) *The Public Health Reinvestment Working Group of the Reimagining Public Safety Task Force calls for trauma-informed training of public health workers. Please provide information of the City's current training as it relates to trauma-informed practices and with what regularity City of Austin public*

health workers receive training on this subject matter. Please provide information about any other training requirements for the City's social service providers through which the City contracts.

Further, Resolution No. 20190822-067 directed the City Manager to consider that security personnel at the Austin Resource Center for the Homeless (ARCH) be City employees trained in de-escalation techniques, positive relationship management skills, and trauma-informed care, in a manner consistent with the recommendations from the National Alliance to End Homelessness. Please provide an update on the status of that direction.

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 19) Per draft recommendation #2 by the Patrol and Investigation Working Group of the Reimagining Public Safety Task Force, please describe any legal or logistical constraints associated with the prospect of EMS assuming Lake Patrol duties. Is EMS supportive of this recommendation?*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 20) In response to Recommendation #3 by the Patrol and Investigation Working Group of the Reimagining Public Safety Task Force, how many canine bites have occurred over the past 5 years and with which unit (i.e., Criminal Interdiction Unit and Patrol K9 Unit). Please provide the circumstances surrounding these bites. Please also provide a copy of the answer to FY 20-21 Budget Question #112 in this Q&A.*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 21) Regarding Recommendation #5 by the Patrol and Investigation Working Group of the Reimagining Public Safety Task Force, what percentage of calls over the past 2 years constituted a "self-initiated call"? Please provide the result of self-initiated calls over the past 2 years (i.e., arrest, no arrest, citation, no citation, etc.)*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 22) Please provide a copy of the Patrol & Surveillance Working Group's survey.*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 23) Regarding the recommendation from the Patrol & Surveillance Working Group of the Reimagining Public Safety Task Force relating to the US Marshals' Lone Star Fugitive Task Force, please provide*

additional information about the nature and role of APD's participation. Is it still accurate that the Intelligence and Crime Stoppers Unit participate on this task force? What accounts for the \$1,453,743 cost noted in the recommendation?

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 24) Regarding the recommendation from the Violence Survivor Services and Prevention Work Group of the Reimagining Public Safety Task Force, how much does the City currently allocate to SAFE's Bridge to Safety Program and what is the length of this contract? How many individuals are served annually through this contract? The recommendation also references the need to broaden eligibility standards. What are the current eligibility standards associated with the City's contract with SAFE for the Bridge to Safety Program?*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 25) Please provide information regarding Capital Metro's Transit Empowerment Fund, which provides free and deeply discounted passes to other nonprofit and social service-based organizations. Depending on the income of the individuals who utilize the Bridge to Safety Program, would this be an eligible source for SAFE to utilize for bus passes? If this process is not ideal for SAFE's clients, what would be the cost to the City for the proposed 100 – 150 Cap Metro bus passes? (This relates to the Violence Survivor Services and Prevention Work Group of the Reimagining Public Safety Task Force.)*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 26) Can the training recommended by the Violence Survivor Services and Prevention Work Group of the Reimagining Public Safety Task Force be absorbed by APD's existing training and education budget?*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 27) The Violence Survivor Services and Prevention Work Group recommends that the City adopt a model where a sexual assault survivor has the option to speak to a patrol officer, a Victim Services counselor, or both, with the counselor being the first point of contact (either by phone or taking the lead on the scene). Is CMO / APD supportive of this model? Are there any legal or logistical barriers that would hinder such a model? Have other cities adopted this model? If so, please provide additional details.*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

28) *The Violence Survivor Services Prevention Work Group of the Reimagining Public Safety Task Force recommends that the City open the list of referring organizations who can access the therapy referral list to any group that serves survivors / victims of harm. Is Victim Services supportive of this recommendation?*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

29) *Please provide a copy of the answer to FY 20-21 Budget Question #88 and #116 in this Q&A. What other cities have discontinued mounted patrol?*

Staff is researching the cities that have discontinued mounted patrol and will provide an update in the quarterly report on reimagining public safety efforts.

Item #24: Authorize negotiation and execution of an agreement with Life Anew Restorative Justice, Inc. to provide academic and personal development services to youth to reduce harm and violence, for a term of May 1, 2021 through March 31, 2022 in an amount not to exceed \$620,000, with two 12-month renewal options each in an amount not to exceed \$620,000, for a total agreement amount not to exceed \$1,860,000.

COUNCIL MEMBER ALTER'S OFFICE

1) *The back-up indicates that these funds are a part of the Reimagining Public Safety initiative. From which bucket(s) of funding is this item proposed to be funded out of?*

The funding for this agreement is out of the \$1,125,000 Reimagining Public Safety that was added to APH's FY21 social service budget for immigrant services, mental health, family violence prevention.

2) *What school districts will be served by this organization and how many students are anticipated to be served through this contract? How are students engaged through this contract - are these services provided on-campus? If so, which campuses?*

Initial program sites include Perez Elementary School (Austin ISD), American Youthworks (Charter School), LBJ High School (Austin ISD), Akin High School (Austin ISD), and Community pods. Additional sites may be integrated during the year. Life Anew anticipates serving up to 500 students in the first year. Clients are referred to the program by sponsors at school, service organizations, parents, or other community members. The program services include behavioral development, counseling, mentorship, academic tutoring, soft skills development, and domestic violence prevention services. The length of program involvement and services provided will be tailored to meet each client's individual needs.

Item #35: Authorize negotiation and execution of a community facilities agreement with Grey Forest Development, L.L.C., for Grey Forest's cost participation in an amount of up to \$720,000, for public storm drain improvements to be constructed by the City along North Lamar Boulevard between 51st Street and North Loop Boulevard.

COUNCIL MEMBER ALTER'S OFFICE

1) What steps are being taken to use this information and experience for future Project Connect planning?

Since passage of the bond in fall 2020 the City's Project Connect Office has been closely coordinating with all City utility departments to understand the scope of the utility impacts and establish criteria for potential utility relocations and protections along the length of the Orange and Blue Line transit corridors. The information derived from these work sessions has been useful to identify alternative options for development driven utility work that may be impacted by the future rail construction. WPD is developing project specific mapping of the known intersections of storm drain locations (in addition to environmental buffers and floodplains) along the rail alignment to advise City departments where opportunities for alternative approaches to public-private partnerships may be in the best interest of the utilities and the rail construction. In addition, Project Connect is building their utility coordination team and will be looking at all proposed infrastructure in or near the Project Connect corridor to ensure that it will not conflict with future program proposed improvements through collaboration with the Austin Utility Location and Coordination Committee.

Item #54: Authorize negotiation and execution of a multi-term contract with Joyce James Consulting, to provide consultation services to City management to ensure successful implementation of Reimagining Public Safety efforts, for up to five years in an amount not to exceed \$2,900,000.

COUNCIL MEMBER ALTER'S OFFICE

1) Please provide an itemized list for each cost component of the contract.

The timelines for the total 58 days of consultation in the first 12 months will be developed in consultation with City Manager, Reimagining Public Safety Executive Leadership, and Contract Manager. Costs associated with the work are \$10,000 per day for a total of \$580,000 per year.

2) How many people will be working on the Joyce James consulting team for this contract?

There are seven consultants that work on the Joyce James Consulting team that will work on this project.

In May 2020, the City hired Joyce James Consulting to work in collaboration with the Equity Office to provide a comprehensive review of findings and recommendations of previous studies related to inequities in APD and to perform a broader cultural assessment and identify an intervention process. This contract will expand and extend Joyce James Consulting's work, to ensure successful implementation of the City's Reimagining Public Safety efforts, including facilitating the Ground Water analysis services for APD leadership and staff at all levels, focusing on understanding institutional and structural racism.

Joyce James Consulting (JJC) shall dedicate up to 18 days for the first six months of this agreement and thereafter up to 18 days each fiscal year for consultation with Executive Leadership. This will include attending monthly executive meetings, reviewing status of policy and program implementation and developing specific process for monitoring and evaluating progress, and maintaining regular communication with City Manager and City's Contract Manager.

The consultant will also make appearances at community events, committee meetings, task force sessions, and council meetings as needed. JJC will dedicate 40 days over the next 12 months and each 12 months thereafter to ongoing consultation and implementation of the Texas Model as per deliverables included in the scope of work for a period of up to five years.



Council Question and Answer

Related To

Item #5

Meeting Date

April 22, 2021

Additional Answer Information

Authorize the negotiation and execution of a loan agreement and related documents with Austin-Bergstrom Landhost Enterprises, Inc., to address hotel operating expense shortfalls and certain required administrative expenses under the 2017 Bond Indenture for calendar years 2020 through 2022, as a result of the financial impact of COVID-19 on the hotel enterprise, in an amount not to exceed \$2,600,000.

QUESTION/ANSWER: Council Member Alter's Office

1. *What is the total amount paid by ABLE and/or the City of Austin to the following entities from 2014 to present: Harney Partners; Harney & Associates; Harney Management Partners, LLC?*

From 2014 through 2018, Harney Partners was engaged under a contract for debt restructuring professional services related to the Austin-Bergstrom International Airport Hotel, which was approved by City Council on Nov 6, 2014. The contract provided for an amount not to exceed \$355,000 to be paid on a time and material basis. The contract termination date was December 31, 2017. ABLE Bond restructure was completed in October, 2017.

From February 1, 2018 – April 1, 2021 where Harney Partners provided services as President of ABLE, under a new Engagement Terms which provided that the compensation for such services was \$5,000 per month flat fee, paid in arrears.

February 1, 2018 – January 31, 2020 = \$120,000 (paid)

February 1, 2020 – March 31, 2020 = \$10,000 (paid)

April 1, 2020 – March 31, 2021 = \$60,000 (owed and deferred)

2. *Is there, or has there been, a specified monthly dollar amount in any agreement between ABLE, the City of Austin, and any of the following entities: Harney Partners; Harney & Associates; Harney Management Partners, LLC?*

Since February 1, 2018 the compensation reflected in the Engagement Terms for such services was \$5,000 per month flat fee, paid in arrears.

3. *What is the time for Greg Milligan's appointment to ABLE and the dates that he has served as ABLE President?*
June 2014 – Engaged as Restructuring Advisor for the City of Austin due to the stalled negotiations with vulture bond fund (that was holding ABLE debt).

September 2014 – Elected as VP and appointed as a Board Member of ABLE corporation, the first non-city/independent member of the Board.

February 2016 – Elected as President and assumed Board Chair role, replacing ABIA Executive Director Jim Smith.

February 2018 – Continued as President and Board Chair under Terms of Engagement. February 2020 – Terms of Engagement contract renewed with same titles and Board position
January 2021 – Continued as President under the 2020 Terms of Engagement. Was replaced on the Board of Directors by Tracy Thompson, Aviation Chief Officer – Administrative and External Affairs pursuant to Resolution of the Austin City Council dated January 27, 2021 appointing new Board Members for ABLE. No longer serves on the ABLE Board.

4. *In a March 22, 2021 memo, Jackueline Yaft with the Department of Aviation stated that requested ABLE bylaws changes “related to the president and the president’s compensation will allow ABLE to continue to utilize the services of Mr. Greg Milligan, and Executive VP of the Harney Group. Mr. Milligan has been a paid consultant for ABLE since the 2017 Bond issue where he was engaged as the hotel Restructuring Advisor, and later elected as president of ABLE and chairman of the ABLE Board.” Please explain why these proposed changes, as they relate to ABLE’s current and historic operations, are necessary.*

As noted above, the bond restructuring advisory work performed by Greg Milligan, (VP of the Harney Partners firm,) was requested by the City of Austin to assist with the restructuring and refunding of the 1999 bonds. . The ABLE Board wanted to continue to retain the services of Greg Milligan as the Hotel enterprise embarked on a significant capital development program (funded under the 2017 bonds) and to assist with the transition to the new requirements and programs under the 2017 Bond Indenture. Please see chronology in #3 above.

5. *On February 24, 2020 the ABLE Board of Directors met and contemplated an agenda item on the “Discussion and possible action on the proposed contract with Harney Management Partners, LLC.” Can ABLE confirm which individuals serving on the Board of Directors were present at this meeting, and which individuals voted on the item?*

Based on the audio recordings and the printed minutes of the meeting, the Board members in attendance were:

Greg Milligan, President
Susana Carbajal, Vice President
Elaine Hart, Secretary
Jim Smith, Board Member

The motion to approve the Harney Management Partners, LLC contract was made by Susana Carbajal and seconded by Jim Smith. While the written minutes indicate that the Board voted 4-0-0 to approve, it is apparent from the audio recordings that Mr. Greg Milligan did not vote on this item, nor did he verbally abstain or recuse from the vote.

6. *Are the minutes from the February, 24, 2020 ABLE Board of Directors meeting accurate? If not, in what ways are they inaccurate?*

Based on the audio recordings of the meeting, the minutes would be accurate if it reflected that the Board voted 3-0-0 to approve. It appears that the secretary for the ABLE Board did not identify this apparent administrative mistake in the development of the meeting minutes.

7. *Please provide details on whether the actions related to agenda item #5 on the February 24, 2020 ABLE Board of Directors meeting was handled in full compliance with our recusal requirements. Please provide details as to the formal policy as to whether and when members of the ABLE Board of Directors would be required to recuse themselves from a vote and, under those circumstances, what are the recommended actions to document that recusal.*

The Dept. of Aviation has requested information from Law to answer Question 7. We are awaiting that information.

8. *The minutes for the January 25, 2018 ABLE Board of Directors meeting states that the Board discussed an item with the following description: "Discussion and possible action on the proposed contract with Harney Management Partners, LLC. A motion to enter a contract with Harney Management was made by Art Alfaro, seconded by Elaine Hart. The Board voted 3-0-1 to enter into a contract with Harney Management. Greg Milligan abstained." Why did Greg Milligan abstain from this vote?*

The current Dept. of Aviation staff does not have direct information at this time regarding the events of that meeting or the intentions of Mr. Milligan.

9. *On March 26, 2021, the ABLE Board of Directors voted on an agenda item with the following description: "Discussion and possible action to approve the negotiation and execution by the ABLE Vice President of a contract with Harney Partners, Inc., for the services of Greg Milligan, Exec. V.P. to serve as the President of the Corporation for an approximate fee of \$5,000. per month (plus out of pocket expenses), and for an initial term not to exceed three years. (subject to the subsequent approval of the Amended and Restated Bylaws by the Austin City Council) (Presented by Tracy Thompson, Board Member)." Can ABLE confirm which individuals serving on the Board of Directors were present at this meeting, which individuals voted on the item?*

The Board members attending this meeting include: Tracy Thompson, Vice President
Mookie Patel, Treasurer
Jennifer Williams, Secretary
Leslie Thorne, Esq., Board Member Angelo DeCaro, Board Member

With respect to Item 12 on the Agenda Board member Angelo DeCaro moved the motion to approve and Board member Leslie Thorne seconded the motion. The Board voted 5-0-0 to approve.

10. *As it relates to the March 26, 2021 Board of Directors meeting, can you provide additional information on why action on the aforementioned agenda item included the clauses: "subject to the subsequent approval of the Amended and Restated Bylaws by the Austin City Council"? Please clarify why that clause was necessary on that action item.*

The intention of the inclusion of the phrase (that an action if taken would be subject to the approval of the City Council of the Amended Bylaws) is to address any anticipated addition/changes in the President's scope of services in a new contract which needs to be consistent with any proposed change in the Amended Bylaws as would be subsequently approved by City Council and the addition of the following to the Bylaws related to the powers of the President:

"..... (ii) authorize any contract without Board approval if the term of such contract does not exceed one year and that amount associated with such contract does not exceed \$5,000; and (iii) direct the Treasurer to pay expenses of the Corporation not to exceed \$5,000 individually, in in such greater amount if specifically authorized, or pursuant to a budget approved by the Board of Directors."

These additions/changes to the Bylaws are recommended by the ABLE Board for approval by City Council to provide more clarity to the limitations of the President's authority in performing the duties of President.

11. *During the April 20, 2021, Council work session, staff indicated that postponement of item 5 on the April 22, 2021, Council Meeting Agenda would result in various financial difficulties and continued non-payment to vendors. Please provide additional details about those implications including:*

- a. A list of vendors who remain unpaid and are anticipated to be paid upon approval of this agenda item and the service(s) they provided; and*
- b. details as to the dates each of the invoiced expenses were incurred; and*
- c. when those vendors provided the initial invoices for those expenses; and*
- d. the specific amounts for each vendor; and*

- e. information on what conversations have been had, to date, with those vendors regarding the length of time that has passed without payment since they initially provided those invoices for payment; and
- f. details on the the average length of time ABLE normally requires to complete payment to vendors after receiving an invoice for payment; and
- g. if any of these vendors have received a payment for services in the past, please provide details on at least the last two times they provided an invoice for services they provided, including the dollar amount and the type of service they provided, the date they initially provided an invoice for services and the date payment for that invoice was completed; and
- h. for each of the vendors who have outstanding invoices which ABLE has not paid, who we anticipate would be paid upon approval of item #5, please provide an itemized list of the total amount paid by ABLE to each of the vendors over the last 6 years; and
- i. details on when ABLE first determined they would be unable to pay these vendors absent approval of item #5; and
- j. any additional information ABLE believes would provide useful context to this decision.

In August, 2020 the Dept. of Aviation did an analysis of the forecast of the COVID pandemic impact on the operating costs and revenues related to the Hotel enterprise. Dept. of Aviation and ABLE determined that the cash flow for the Hotel could sustain the reduced operating requirements (costs) to January/February, 2021, and decided to focus the available cash flow to cover essential operational expenses, and payroll to sustain guest services/accommodations, and to defer payments to the largest vendors (such as the Franchise Fees, the Presidents fee, a reduction of the Management Fee, etc.).

Potential impacts include assessed late fees from the Hilton Corporation, as well as potential late fees from other vendors. Vendors may also terminate contracts due to non-payment, or begin collection proceedings against ABLE. Please note the Loan is intended to pay for the following contractor and franchisor Accounts Payable:

Vendors with invoices greater than 30 days past due			
Vendor	Amount Due	Oldest Invoice	
As of March 31, 2021			
Greg Milligan	\$60,000	Apr-20	
Streausand	\$38,854	May-20	
Hilton Hotels	\$520,942	Jul-20	*** vendor requesting payments - Late Fees accumulating
Boykin Prospera	\$204,177	Aug-20	Reduced Management Fee by 50% since Oct 2020
City of Austin - Occupancy Tax	\$93,030	Jan-21	Paid Quarterly
City of Austin - Admin Fee	\$111,000	Apr-20	
City of Austin - Rent	\$190,056	Apr-20	
Total	\$1,218,059		

Therefore, the determination as to defer payment on these accounts was made in August, 2020 and great efforts have been made since then to manage the financials during the pandemic and to develop the Loan Agreement as a component of the COVID Resiliency Program for the Hotel enterprise.

We believe this chart reflects the details regarding the dates, amounts and identification of vendors that are the major component for the Loan Agreement. As noted above, the majority of the Accounts Payables are aged 12 months. The Hilton Corporation will be assessing late fees for non-payment of franchise fees. It is unknown if other vendors will assess late fees, terminate their contracts for non-payment, or institute collection proceedings against ABLE, as it has been anticipated that the Loan Agreement proceeds would be available in April/May of 2021.

To address the sub- questions/items below – pleased note: It is intended that the recap of the Accounts Payable reflected in the chart provides sufficient information related to this question. Copies of the invoices for these large vendors are on file, and can be provided in the future, if needed.



Council Question and Answer

Related To

Item #5

Meeting Date

April 22, 2021

Additional Answer Information

Authorize the negotiation and execution of a loan agreement and related documents with Austin-Bergstrom Landhost Enterprises, Inc., to address hotel operating expense shortfalls and certain required administrative expenses under the 2017 Bond Indenture for calendar years 2020 through 2022, as a result of the financial impact of COVID-19 on the hotel enterprise, in an amount not to exceed \$2,600,000.

QUESTION/ANSWER: Council Member Fuentes' Office

1) ABLE's Debt Service Reserve Fund - what is the current status and/or balance of the DSRF? How has this been impacted during the pandemic? Are any additional transfers into this fund anticipated as a result of debt incurred during COVID-19?

The current balance in the DSRF (Debt Service Reserve Fund) is \$3,952,691.63. Bond Trustee drew \$1.56M out of the DSRF to make the October 1, 2020 payment and it was replenished by the Airport. There is a current request for another draw as of the April 1, 2021 debt payment in the amount of \$1.084M. The airport replenished the October 1, 2020 draw and will have to replenish the April 1, 2021 draw within 120 days from the notification by Bank Trustee. The Airport anticipates it will have to replenish the DSRF for October 1, 2021 debt payment and April 1, 2022 payment. So, the total anticipated and already provided Debt Service replenishment will be \$5.9M.

2) ABLE's second loan request under the Paycheck Protection Program - provide an update on the use of the first loan. How much of that loan was provided for direct hotel employee relief? How many employees will be provided relief through a potential second loan? What type of employees does that include specifically employed by the Hilton airport (front of house, management, etc)?

PPP1 – 83% was used towards payroll or \$750,586.

Hotel re-hired 75 associates out of the 123 FTE per loan application. Identified 46 projects totaling 22,440 work hours.

PPP2- Estimated \$1,041,870 or 82% to be used for frontline payroll and management payroll

3) It appears hotel management fees continue to increase despite COVID relief efforts. If this is the case, what percentage in increases was experienced pre-COVID? Are these management fees expected to increase beyond the issuance of the proposed loan?

Boykin Prospera, Management Company, cut their management fees by 50%, \$18,393/month as of Oct 2020. Prior to that it was \$36,786/month. The current management agreement was entered into

October 1, 2017.

ARTICLE 10
MANAGEMENT FEES AND PAYMENTS TO MANAGER

- 10.1 Owner shall pay to Manager, on a monthly basis, for services rendered under this Agreement a management fee (the "**Base Fee**") equal to \$34,563 per month, adjusted annually so as to increase (but not decrease) the Base Fee by the same percentage as any percentage increase in the CPI from the CPI in effect on the first day of the first month of the previous Fiscal Year to the CPI in effect on the first day of the first month of the current Fiscal Year; provided, however, no such CPI increase shall exceed five percent (5%) in any Fiscal Year.



Council Question and Answer

Related To

Item #5

Meeting Date

April 22, 2021

Additional Answer Information

Authorize the negotiation and execution of a loan agreement and related documents with Austin-Bergstrom Landhost Enterprises, Inc., to address hotel operating expense shortfalls and certain required administrative expenses under the 2017 Bond Indenture for calendar years 2020 through 2022, as a result of the financial impact of COVID-19 on the hotel enterprise, in an amount not to exceed \$2,600,000.

QUESTION/ANSWER: Verbal questions from Work Session

1) What impact will a postponement of Item 5 (Loan Agreement) have the workers or Hotel Employees? (Fuentes) *Status of Airport Hilton Hotel Employees.*

These items do not impact any employees of the Airport Hilton Hotel. Additionally, UniteHere Local 23 does not currently represent any employees at the Airport Hilton Hotel.

Loan Agreement - Hotel Employee Payroll.

All employees at the Airport Hilton Hotel have continued to receive payment from operating revenues of the Hotel enterprise. The Loan Agreement before Council is not tied to the pay of the employees of the Airport Hilton Hotel.

2) What impact will a postponement of Item 5 (Loan Agreement) have on the ABLE Corporation? (Fuentes)

The majority of the Accounts Payables listed in the chart below are aged 12 months. Potential impacts include assessed late fees from the Hilton Corporation, as well as potential late fees from other vendors. Vendors may also terminate contracts due to non-payment, or begin collection proceedings against ABLE. Please note the Loan is intended to pay for the following contractor and franchisor Accounts Payable:

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City of Austin - Rent	\$190,056	Apr-20	
Total	\$1,218,059		

3) Meetings with Bo Delp UniteHere Local 23. (Casar)

Pursuant to Council's question related to meeting with union representatives, the information below provides a timeline and efforts by the Dept. of Aviation and ABLE to coordinate discussions since February:

February 22, 2021, Tracy Thompson (Chief Officer-AUS) sent email to Bo offering to meet virtually with Greg Milligan (Pres. of ABLE) and Tracy.

February 25, 2021, the virtual meeting was held and a good exchange of information and questions answered occurred. At that time, Bo made the recommendation that the Bylaws (to be amended) should include the requirement that “any management agreement should be approved by City Council.

March 25, 2021 (the day prior to the ABLE Board meeting to approve the amended Bylaws along with other matters), Tracy and Bo had a conversation indicating that the he was requested stronger language related to the Bylaws. Also during that conversation, Bo suggested that he meet with the Management Company representatives, but declined Tracy’s offer to facilitate the meeting.

March 26, 2021 was the virtual ABLE Board Meeting Date. Bo was a public citizen attendee. During the motion on the Amendment to the Bylaws, Tracy read into the record updated language that was stronger in an effort to meet Bo’s requests.

April 7, 2021 Tracy called Bo to see if he had scheduled his meeting with the Prospera Management Company. Bo agreed to allow Tracy to provide to Prospera his contact information to contact him for the purpose of a meeting. Tracy sent an email to Greg Milligan, President of ABLE on April 7, 2021 to coordinate a meeting. April 16, 2021 a virtual meeting was held between Greg Milligan, President of ABLE, the President and COO of Prospera, and representatives from UniteHere. At the end of the meeting the UniteHere representatives were asked if any follow up meetings were needed, and it was clear that UniteHere representatives did not request additional meetings.

April 19, 2021, in good effort the Dept. of Aviation has coordinated additional meetings between Bo and Prospera Management Company for the next few weeks to discuss any new matters.

On April 20, 2021, Bo called Tracy to get information related to the Accounts Payable vendors and amounts that are related to the first draw under the Dept. of Aviation Loan to ABLE. Tracy provided that information, as reflected in the chart under #2 above.

4) How you and the other staff established this salary for the President of ABLE (\$5,000/month) and what the expectations for that role? (Tovo)

2018 Engagement Terms – Harney Partners

In February, 2018 the ABLE Board of Directors approved the terms of engagement for Gregory Milligan, Executive VP of Harney Management Partners, LLC in Austin Texas as the President and Chief Restructuring Officer for ABLE, pursuant to specific Terms of Engagement. The scope of services and the fees for services were negotiated at that time.

Under the Engagement Terms, the scope of services to be provided by the President and Chief Restructuring Officer included:

Participate in weekly construction meetings, and manage the Hotel’s HVAC/mold remediation project with Hotel contractors

Participate in similar construction meetings related to the Hotels Product Improvement Plan (major Hotel renovation program)

Serve as ABLE’s representative for matters pertaining to:

The 2017 Bond Trustee

Annual financial audit meetings, reviews and related matters Franchise and operating matters with Hilton and Prospera Landlord/tenant matters with the City of Austin

Matters with ABLE's counsel

Review and approve weekly operating expense disbursements and periodic requests for capital Review of monthly operating statements

Participate in preparation and approval of annual operating budgets

Review and approve/reject routine ABLE matters that don't require Board consideration

Organize and conduct regular meetings of the ABLE Board of Directors

Perform other routine matters that arise in the ordinary course of business.

Under the 2018 Engagement Terms, the compensation for such services was \$5,000 per month flat fee, paid in arrears.

The term of the 2018 agreement with Harney Partners expired on January 31, 2020.

2020 Engagement Terms – Harney Partners

On February 24, 2020 the ABLE Board of Directors approved new Terms of Engagement with Harney Partners, effective February 1, 2020. The scope of services reflected in the 2020 Terms of Engagement were substantially the same as the 2018 scope of services. Minor changes (such as removal of the Mold remediation project which was previously completed) were incorporated to reflect changes in circumstances at the Hotel. Under the 2020 Engagement Terms, the compensation for such services was \$5,000 per month flat fee, paid in arrears, reflecting no increase in compensation.

The 2020 Engagement Terms end on January 31, 2022, with rolling automatic one year renewals each following year if not terminated by either ABLE or Harney Partners 30 days prior to the renewal date.



Council Question and Answer

Related To

Item #18

Meeting Date

April 22, 2021

Additional Answer Information

Authorize negotiation and execution of a legal services agreement with Hornberger, Fuller, Garza & Cohen for legal services related to real estate contract negotiations for the acquisition of a warehouse for Austin Energy, in an amount not to exceed \$175,000.

QUESTION/ANSWER: Council Member Tovo's Office

1) *Please describe what kind of warehouse Austin Energy is seeking, and why? What are the parameters AE is seeking in terms of warehouse size, lot size, and location? What existing City properties has AE considered? Why is AE engaging an external law firm to assist with a real estate transaction rather than using the city's real estate offices?*

The proposed facility is part of the Austin Energy Facilities Master Plan (attached) and will incorporate warehouse, shop space, office, outside storage and laydown yard allowing Austin Energy to consolidate operations from the Ryan Drive, Todd Lane and Decker Lane sites. Here is a link to the April 24, 2017 presentation by Mark Dombroski and Lauraine Rizer to the Austin Energy Utility Oversight Committee:

<https://austintx.new.swagit.com/videos/04242017-522>

The City Council directed the Ryan Drive location be redeveloped (resolution 20181101-024) and for which an RFP has been issued and is in negotiation: <https://austintexas.gov/departments/6909-ryan-drive>.

Austin Energy currently leases and has out-grown warehouse space on Todd Lane which is predominately used for smart meter programming, testing and distribution. The Decker Lane site is constrained and not suited for this larger full service operation.

The new site will allow Austin Energy front line employees to work in modern, more efficient conditions, improve organizational effectiveness, emergency preparedness, customer service and overall productivity. The RFP specified 130,000 sqft of warehouse, 15,000 sqft of office and 185,000 sqft of laydown yard (with ability for expansion of an additional 15,000 sqft office and 20,000 sqft warehouse). The geographic area was the AE service area, however the respondents were all in the eastern half of the City, predominately north and south with some central. They generally align with Imagine Austin Job Centers.

Other City and AE properties (Johnny Morris, Kramer, E. Riverside/Grove) were considered as well as a private development proposal however the need to replace operations at Ryan Drive necessitate a shorten time frame which the P3 approach has proven to deliver at the Permitting and Development Center and Austin Energy Headquarters.

The proposed external law firm will work with the Office of Real Estate Services, the P3 Program Manager, and the law department on this transaction. The proposed firm represented the City during the negotiation and acquisition of the new Austin Energy Headquarters and brings specific expertise on structuring the acquisition and development of newly-constructed facility on behalf of a governmental entity. The project required expertise and a commitment of time that the Law Department cannot provide.



Austin Energy Facilities Master Plan Update

April 24, 2017



Location of Major Facilities



MAJOR AUSTIN ENERGY FACILITIES

- 1 – Town Lake Center
721 Barton Springs Road, 78704
- 2 – 811 Building
811 Barton Springs Road, 78704
- 3 – Kramer Lane Service Center
2526 Kramer Lane, 78758
- 4 – St. Elmo Service Center
4411 Meinardus Drive, 78744
- 5 – Rutherford Lane Campus
1520 Rutherford Lane, 78754
- 6 – System Control Center
2500 Montopolis Drive, 78741
- 7 – Sand Hill Energy Center
1101 Fallwell Lane, Del Valle, TX 78617
- 8 – Decker Creek Power Station
8003 Decker Lane, 78724
- 9 – Justin Lane Facility
6909 Ryan Drive, 78757





Functional Breakdown by Type

Leased Space

Size	Function	Location
71,920	Office	811 Barton Springs
10,000	Office	Rutherford Ln (Bldg. 4)
3,072	Office	Decker Trailer
4,597	Payment Center	North Branch 8716 Research Blvd
1,000	Payment Center	East Branch 2800 Webberville Road
6,800	Warehouse	Todd Ln
39,328	311 Call Center	Rutherford Ln
1,440	Warehouse	South Lamar Storage
5 acres	Laydown Yard	Pilot Knob
138,157 sq. ft. and 5 acres	Total leased space	

Owned Space

Size	Function	Location
176,000	Office	Systems Control Center (SCC)
126,000	Corporate Office and Utility Contact Center	Town Lake Center (TLC) Barton Springs
129,159	Service Center	Kramer Ln
96,750	Service Center	St Elmo
5 acres	Warehouse and Laydown Yard	Ryan Drive and Justin Lane
5 acres	Land	E Yeager Lane and Parmer Lane
18 acres	Land	E. Riverside Dr. and Grove Blvd.
527,909 sq. ft. and 28 acres	Total owned space 79% of Sq. Ft. is owned	

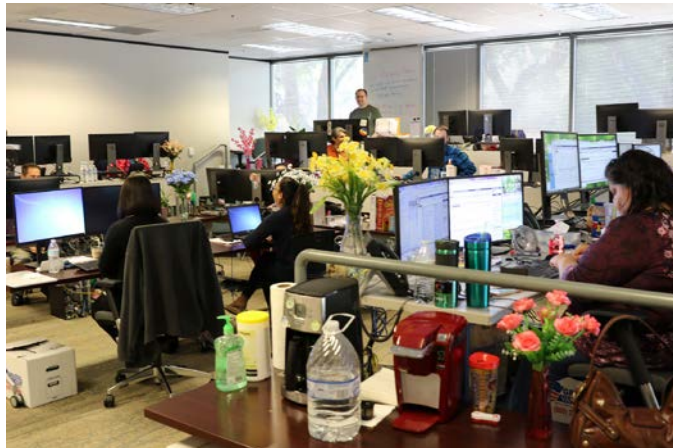
Excludes power production facilities



Constraints of Current Facilities



- Utility Contact Center and Customer Services staff being housed in conference rooms at Service Control Center and 811 Barton Springs
- Unacceptable conditions of the property at Ryan Drive and Justin Lane resulting in under-utilized space
- Escalating lease expenses at 811 Barton Springs
- Increased operating expenses and future renovation costs at Town Lake Center
- Traffic congestion and parking constraints for employees and visitors at Town Lake Center



Conference rooms at 811 Barton Springs configured to work space for Customer Care



Warehouse space located at Ryan Drive and Justin Lane



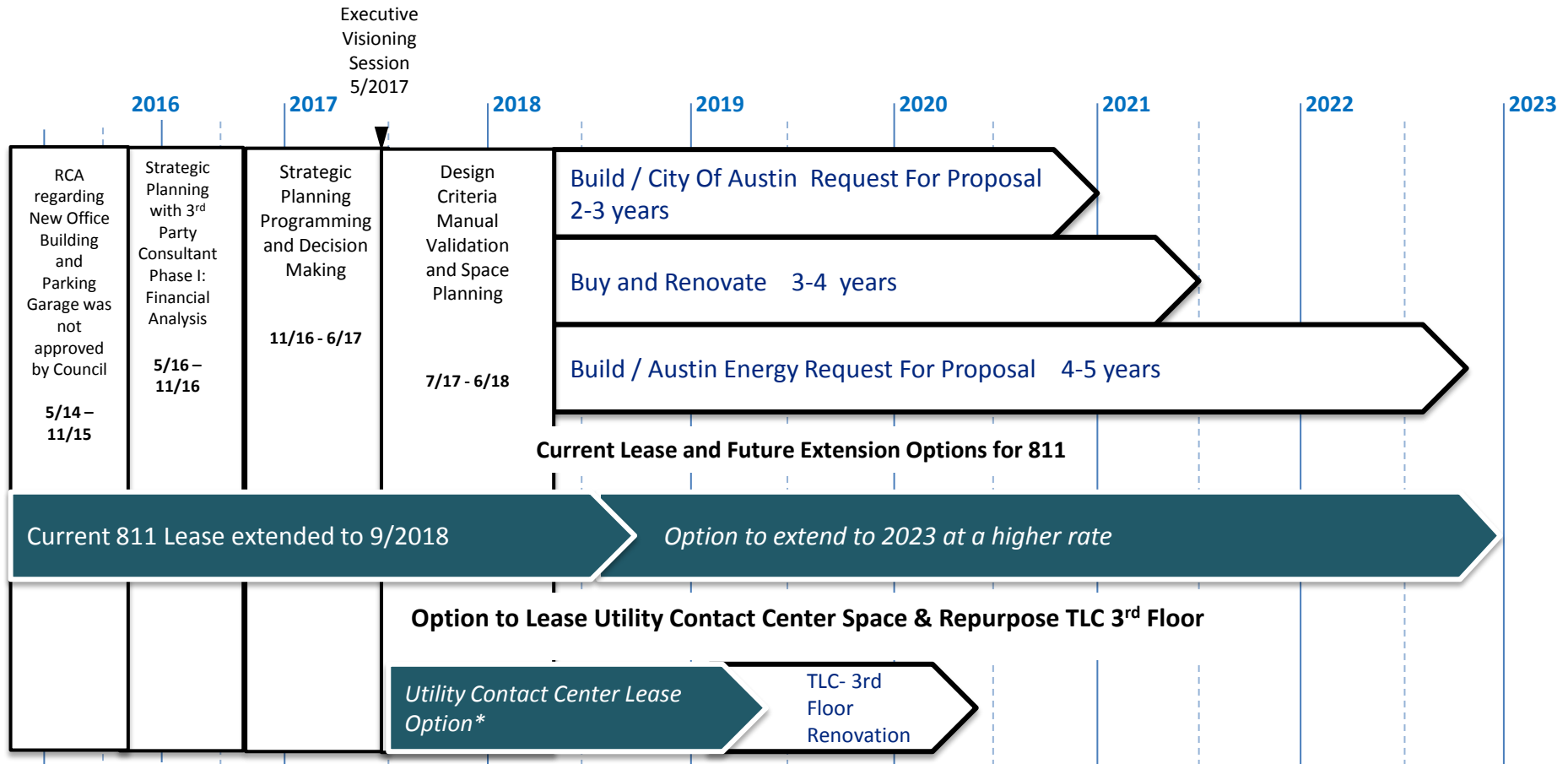
Goals of Facilities Master Plan

- Improve service to our customers
- Reduce operating expenses
- Reduce traffic congestion in the central business district
- Provide safe, functional and environmentally-responsible work space for employees
- Structure with little to no impact on customer bills
- Support City of Austin's comprehensive planning goals



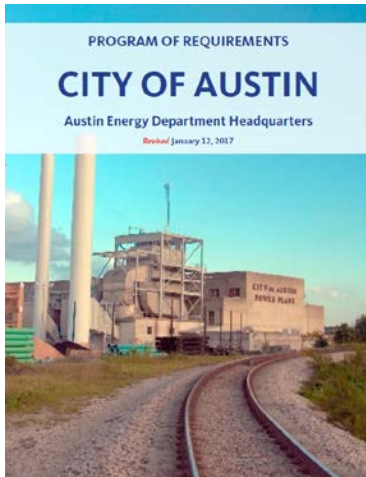
Efforts to Date and Potential Future Plans

Options to Build / Buy & Renovate: Approximate Time to Complete





Facility Space Requirements



Facility space requirements are based upon recommendations from the Gensler Study commissioned by the City of Austin which was completed in January 2017 and incorporates City of Austin space and furniture standards.

200,000 sq. ft.

Corporate office space which includes Utility Contact Center, training and meeting spaces

200,000 sq. ft.

Indoor Warehouse space with adjacent laydown yard (exchanging 135,000 current indoor space and 5 acres of outside storage with 200,000 indoor and < 1 acre laydown yard)

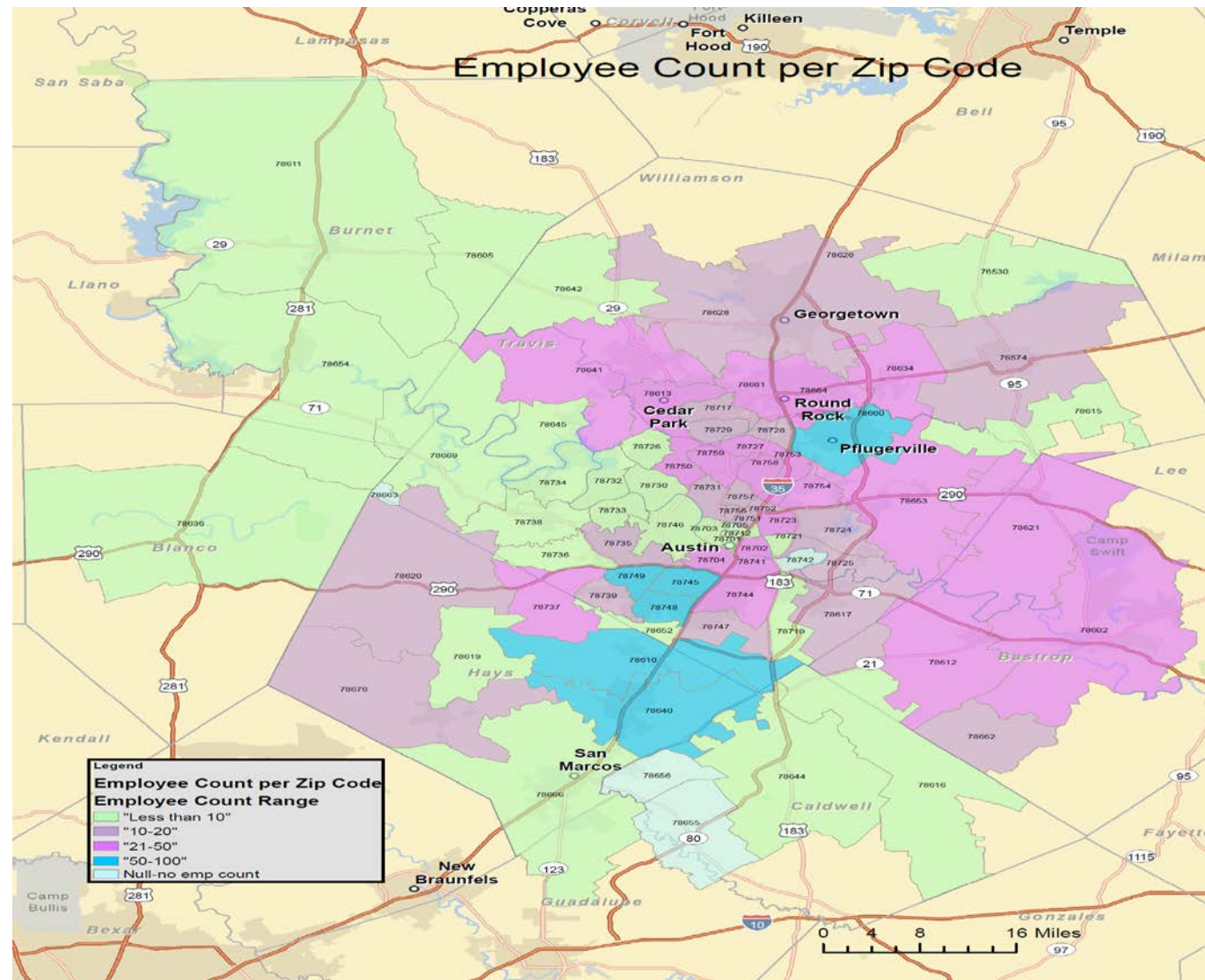
5,000 sq. ft.

Customer Payment Center to serve growing customer base in the south Austin



Where Our Employees Live

- 1,700 total employees
- 800 employees assigned to Town Lake Center and 811 Barton Springs Rd.
- Heaviest concentration is south of Hwy 290
- Significant number of employees live east of I35 and in the northern suburban cities

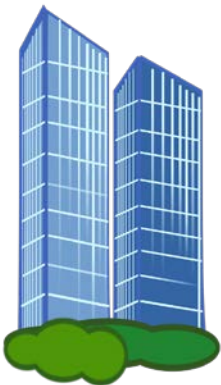




Concept for Corporate Offices and Utility Contact Center



TOTAL RELOCATION



- Build/buy office property
- Relocate all Town Lake Center and 811 staff
- Capture fair market value of Town Lake Center
- Vacate 811 and Palmer leases
- Avoid Utility Contact Center lease

Value Proposition

- Buy an existing or construct a building
 - Replace mechanical, electrical and plumbing
- Move from TLC and 811 to new location
 - Assumes all new finishes, furniture, and equipment to meet City standards
- Reduce expenses by not leasing on Barton Springs

Customer, Stakeholder, & Organizational Impacts

- Consolidates workforce and meets needs for Utility Contact Center
- Meets the time constraints regarding 811 Barton Springs lease
- Economic approach to developing safe and functional workspaces
- Permits Austin Energy to occupy environmentally-responsible building
- Reduces traffic congestion in the downtown business area
- Allows Austin Energy to capture fair market value of Town Lake Center to offset acquisition costs

Concept Implementation Timeline





Concept for Warehouse with Adjacent Laydown Yard

CURRENT



- Currently, Austin Energy occupies 135,000 sf of warehouse space at multiple locations, including Ryan Drive and Justin Lane, Todd Lane, South Lamar:
 - Ryan Drive and Justin Lane property is in unacceptable condition and the cost of renovation is uneconomic
 - Highest and best use for Ryan Drive and Justin Lane property is not industrial warehouse
 - Poor work environment for employees
 - Consolidation of locations allows for reduced staffing requirements

CONCEPT



INVENTORY REDUCTION & SITE CONSOLIDATION

- Consolidate multiple warehouses into a single site, utilizing a purchase or lease-to-buy agreement for immediate need and future flexibility:
 - Reduce inventory, discard and recycle damaged items to reduce footprint requirements by 12,000 sf
 - Consolidate Ryan Drive and Justin Lane, South Lamar, and IT Storage into a single 120,000 sf site – including ESD spare parts, reclamation, laydown, furniture, cubicles, and computer hardware
 - Improved service to our customers with modern inventory technology and safer environment to work



Concept for Customer Payment Centers

CURRENT



East Branch

Rosewood-Zaragosa Center
2800 Webberville Road
Austin, TX 78702



North Branch

(near Ohlen Rd. and Highway 183)
8716 Research Blvd., Suite 115
Austin, TX 78758

CONCEPT

CUSTOMER PAYMENT CENTER



■ South Branch Center

- Wm. Cannon & Manchaca area is a possible location
- Estimated rate is \$25 per sq. ft.
- 2400 +/- sf
- Drive-through would be an attractive feature
- Meets our customers' expectations for service
- Would relieve pressure at Rosewood/Zaragoza and Ohlen Road



Financing Strategies

- Strategies to meet Affordability Goals
 - Capture market value from properties already acquired through utility rates and reinvest in new facilities
 - Properly leverage the acquisitions with use of cash funding and long-term debt
 - Consider the use of Credit Tenant Lease Financing (CTL Financing) if advantageous
 - Strengthen balance sheet with long-term assets
 - Reduce lease and maintenance expenses (operating budget)
 - Take advantage of the expertise and capabilities of the City of Austin's real estate advisor to maintain momentum of transaction in a dynamic market environment
 - Achieve with little to no impact on customer bills



Estimated Impact of Concepts

	Status Quo and Lease Utility Contact Center	Facilities Master Plan Concepts
Estimated 30-Year Net Present Value	\$164M	\$12M
Estimated Monthly Impact to a Residential Customer	\$0.38	\$0.03

- Cost drivers for maintaining the Status Quo
 - Maintaining leases with escalating rates
 - Maintenance and renovation costs associated with current facilities
 - Market value stranded in current facilities



Next Steps

- City of Austin Real Estate to finalize a Request for Proposal
 - Corporate Office and Utility Contact Center
 - Indoor warehouse and adjunct laydown yard
- Coordinating with City of Austin Real Estate on potential acquisition of Customer Payment Center
- Return to City Council in Fall of 2017 with proposals



Council Question and Answer

Related To

Item #20

Meeting Date

April 22, 2021

Additional Answer Information

Approve an ordinance creating the Emergency Communications Department; amending the Fiscal Year 2020-2021 Austin Police Department (APD) Operating Budget (Ordinance No. 20200812-001) to transfer out 222.0 full-time equivalent positions and decrease funding in the APD Decouple Fund by \$16,085,640, which transfers the positions and funding for the Emergency Communications Division to the new Emergency Communications Department; amending the Fiscal Year 2020-2021 APD Operating Budget (Ordinance No. 20200812-001) to transfer out 62.5 full-time equivalent positions and decrease funding in the APD Decouple Fund by \$17,020,863 and the APD Reimagine Safety Fund by \$7,163,697, which transfers the positions and funding for the APD Alarm Administration Unit to the Development Services Department, transfers APD Human Resources to the City's general Human Resources Department, transfers the APD Public Information Office to the Communication and Public Information Office, transfers APD Facility Maintenance to the Building Services Department, transfers APD Finance to the Financial Services Department, includes varying transfers in accordance with the APD staffing plan and zero-based budget review, decreases the transfer from the General Fund to the APD Decouple Fund by \$33,106,503, and decreases the transfer from the General Fund to the APD Reimagine Safety Fund by \$7,163,697, and increases funding in the amount of \$23,632,770 for the Austin Police Department to transfer funding to the Support Services Fund for the decoupled units and adjust the budget in accordance with the APD staffing plan and zero-based budget review, and increases the transfer from the General Fund to the Development Services Fund by \$551,790; amending the Fiscal Year 2020-2021 Support Services Fund Budget (Ordinance No. 20200812-001) to transfer in 56.5 full-time equivalent positions and increase funding in the amount of \$2,357,848 to the Human Resources Department, \$548,540 to the Communication and Public Information Office, \$1,880,723 to the Building Services Department, \$16,447,189 to the Financial Services Department; and amending the Fiscal Year 2020-2021 Development Services Fund (Ordinance No. 20200812-001) to transfer in 6.0 full-time equivalent positions and increase funding in the amount of \$551,790 to the Development Services Department.

QUESTION/ANSWER: Council Member Tovo Office

- 1) *From the 2020-21 budget adoption to date, please show how reinvestments from the "immediate reinvestment" category of APD's budget have been used and in what amount. In list form, please provide details about purchases, investments, the names of the contracted vendors / nonprofits, the nature of the contracted work and proposed populations to be served, contract amounts, and contract terms.*

If applicable, please estimate any funds that may be unexpended from the "immediate reinvestment" category.

Below details reinvestments from APD's budget to other departments and the services and programs being used with the funding, as approved at FY 2021 budget adoption. Further time will be required to provide information regarding details about purchases, contract information, and proposed populations to be served, as this reinvestment spanned 11 departments and offices.

Austin Police Department Reinvestments (Approximately \$31.5 million)

EMS COVID-19 Response: In order to support increasing call volume for Emergency Medical Services during the pandemic and the overall growing needs in Austin, \$3.5 million is reinvested and 46 new positions are added. Additionally, though not a reallocation from APD's budget, \$1.3 million is added to the capital improvement budget to purchase two ambulances and necessary equipment.

ET3 Model Funding: As part of a new program called ET3 from the Centers for Medicare and Medicaid, \$147,000 is reinvested for Emergency Medical Services to fund two temporary consultants to implement the new program.

Equitable Access to Abortion: \$100,000 is reinvested toward funding for residents seeking logistical and supportive services for abortion care, including services such as transportation, childcare, and case management.

Family Violence Shelter and Protection: \$2.1 million is reinvested to fund a service provider to operate and manage a protective shelter from family violence. Additionally, though not a reallocation from APD's budget, \$12.0 million is added to the capital improvement budget to acquire a hotel to house the shelter.

Food Access: \$400,000 is reinvested to support a mobile food market program, targeting vulnerable communities in the eastern crescent of Austin.

Housing Trust Fund Increase: \$1.0 million is reallocated to the Housing Trust Fund, which is dedicated to preserving and creating reasonably priced housing in the city of Austin by leveraging federal funds to plan and develop affordable housing projects. With this additional influx of funding, the Housing Trust Fund is funded at a level \$300,000 in excess of the amount called for by prior Council resolutions.

Increased Funding to Austin Public Health: \$1.8 million is added to Austin Public Health's budget for four epidemiologists, an early childhood program coordinator, mental health services, family violence prevention programs, and immigrant legal services.

Increased Funding to Management Services: A total of \$3.0 million is added to Management Services' budget to increase funding to the Office of Police Oversight (OPO) and the Equity Office, as well as to provide funding for a rewrite of the Austin Police Department's General Orders and Police audits and implementation of audits. Nine positions are added to OPO and five positions are added to the Equity Office that enables them to sufficiently perform their missions and fulfill Council directives.

Juneteenth City Holiday: Establishing Juneteenth as an official City holiday, \$42,000 is reinvested in the budget for costs related to non-sworn personnel.

Mental Health First Response: A total of \$3.7 million is directed toward increased funding for mental health response, of which \$1.4 million is focused toward expanding and enhancing the Integral Care-EMCOT contract for clinical staff and telehealth services and \$225,000 is directed toward community outreach to underserved communities, program implementation, and interagency coordination. \$137,000 is also dedicated to the Homeless Outreach Street Team for a contracted, qualified mental health professional. The remaining \$2.0 million is redirected to expand the mental health diversion initiative within the Community Health Paramedic Program by adding 14 new positions and necessary equipment.

Mobility Services Officer Study: \$30,000 is reinvested to complete a classification study for a Mobility Services Officer position, which could assume traffic enforcement duties that are not required to be conducted by sworn police officers.

New Civil Rights Office: \$300,000 is reallocated to supplement the newly formed Civil Rights Office, which will expand on previous City initiatives, including enforcement of City ordinances and federal statutes prohibiting discrimination in employment, housing, and public accommodations.

Office of Violence Prevention: \$1.9 million is reinvested to establish the Office of Violence Prevention, which will be housed in Austin Public Health and include three full-time positions. The Office is responsible for shaping policy and coordination of violence reduction, including gun violence prevention, and community safety strategies.

Permanent Supportive Housing and Services: \$6.5 million is reinvested in permanent supportive housing and services, including rapid rehousing, in accordance with the Austin Action Plan to end Homelessness.

Police Records Management System: In partnership with the Communications and Technology Department, approximately \$2.0 million is reallocated within the Austin Police Department budget to fund a replacement of the current 15-year old records management system the Department currently uses. This cloud-based solution will allow for more-efficient records keeping while reducing system maintenance and downtime.

Police Training: A total of \$900,000 is reallocated within the Austin Police Department budget to fund targeted training related to trauma-informed response, unconscious bias, and racial and cultural sensitivity. Funding is also included for training on, and distribution of, Naloxone so that a police officer can provide emergency assistance when confronted with an individual experiencing a drug overdose.

Policing Technology Innovation: \$100,000 is reinvested in the Innovation Office to contract a solutions architect, focusing on equity in policing technology. This contracted position will research, analyze, and document effective business applications and their requirements in support of business-oriented information technology implementations.

Rapid Re-Training Initiative for an Equitable Recovery: To support low-income Austinites experiencing unemployment during the pandemic, \$1.4 million is reinvested to include, but not limited to, outreach to the unemployed and recent high school graduates, free or subsidized tuition and fees at Austin Community College, job training programs, stipends, small cash incentives for meeting milestones, digital inclusion, job placement services, and transportation and childcare as needed.

Substance Use Continuum of Care: To increase harm reduction services by expanding and supporting drop-in centers and mobile outreach clinics for individuals in need of substance use treatment and care, \$1.0 million is reinvested toward this program.

Support Services for Previously Incarcerated Individuals: \$400,000 is reinvested to provide resources and facilitative support services to Austin residents who were formerly incarcerated. Services may include preparation for entering the workforce, temporary housing, food security, counseling, and other services as needed.

Urban Trails Maintenance: \$300,000 is reinvested to fund a new trail maintenance Parks and Recreation crew, including four full-time positions. Additionally, though not a reallocation from

APD's budget, \$700,000 is added in the capital improvement budget for the purchase of trails equipment, including dump trucks, motor graders, and steel drum rollers.

Victim Services: \$500,000 is reinvested toward Victim Services, within the Decouple Fund, by allocating funding for four full-time positions and necessary equipment for counselors to provide vital services to victims of violent crime.

Workforce First Program: \$150,000 is reinvested to the Workforce First Program to grow the employment program for individuals experiencing homelessness and to apply more resources to housing and eviction mitigation support services for clients recently housed.

- 2) *The April 9, 2021, memo states that "it is important to note that with the decrease to the Reimagine Safety Fund, additional parks or traffic enforcement services will require new budget funding." Please provide the amount of new funding that will be required for parks and traffic enforcement services and from where in the budget new funding is being proposed for these services.*

In the April 21, 2021 memo, staff indicated that after further review of the reallocation of resources for the APD staffing plan budget amendment, staff has decided to leave \$6.9 million (Item #20) within the Reimagine Safety Fund to allow staff to continue to evaluate the APD staffing plans for specialized units, such as Parks Police and Traffic Enforcement. Any analysis going forward will be informed by decisions made during the Reimagining Public Safety process.

- 3) *The April 9, 2021, memo states that "after reviewing the services provided by APD's Emergency Communications Division and researching how other comparable jurisdictions manage emergency calls, City Management recommends removing these functions from APD and establishing a stand-alone, independent Emergency Communications Department reporting directly to the Assistant City Manager for Public Safety." Please list jurisdictions that manage emergency calls in a manner similar to the proposed stand-alone independent agency or the jurisdictions the City consulted.*

The following three agencies in Texas that are independent Emergency Communications Centers (ECCs).

- North Texas Emergency Communications Center
 - Board run and controlled 51% by law enforcement
 - Four (4) jurisdictions (Carrollton, Coppell, Farmers Branch, and Addison) served encompassing all emergency radio communications (police, fire, EMS)
- Williamson County Communications Center (Williamson County, Texas)
 - Director reports directly to the County Judge
 - 22 State and local law enforcement agencies, 12 fire departments, and Williamson County EMS
- Borger Regional Communications Center (Borger County, Texas)
 - Board run and controlled 51% by law enforcement
 - 13 local, State, and Federal agencies

- 4) *When will a proposed timeline for the Emergency Communications Department be finalized?*

Staff has begun putting together a detailed project plan and will provide an update by May 31st. Time is needed to determine what will be required for major project components such as technology requirements and addressing over 60 interlocal/master control agreements while continuing to work on the AustinCARES project.

- 5) *Please provide the titles of the FTEs proposed to be removed from APD and transferred to Building Services, Financial Services, CPIO, and Human Resources. Will these FTEs also be moving their office locations?*

Building Services: 1 Building Services Manager, 1 General Maintenance Supervisor II, 1 Facility Service Specialist, 1 Maintenance Worker Leader, 2 Maintenance Worker III's, 1 Maintenance Worker II, 1 Buildings and Grounds Specialist

Financial Services: 1 Chief Administrative Officer, 1 Program Manager III, 2 Financial Manager II's, 1 Financial Manager I, 1 Accounts Payable Supervisor, 3 Financial Analyst III's, 3 Accounting Associate II's, 2 Accounting Associate I's, 2 Contract Management Specialist III's, 2 Contract Management Specialist I's, 1 Inventory Control Manager I, 1 Inventory Control Supervisor II, 1 Inventory Planner I, 3 Inventory Control Specialist II's, 2 Grants Coordinators

CPIO: 1 Public Information and Marketing Program Manager, 1 Marketing Communication Consultant, 3 Public Information Specialists Sr.'s (these positions were already moved in the FY21 Approved Budget – this budget amendment moves the funding associated with these positions)

HRD: 1 Human Resources Manager II, 3 Human Resources Supervisors, 1 Performance Advisor, 3 Human Resources Advisor Sr.'s, 1.5 Human Resources Advisors, 10 Human Resources Specialists, 1 Human Resources Assistant Sr., 1 Occupational Health and Safety Coordinator, 1 Administrative Specialist

The 6 FTEs moving to DSD supporting the alarm administration will physically move to the DSD office.

All other FTEs will currently remain at their current office location, except the BSD Manager will have an office at both the BSD facility and the APD facility.

- 6) *Please provide a breakdown of the total amount of \$4,476,458 for the Travis County Interlocal for booking services, Axon Body Worn Camera, and AT&T cell phone contracts that are proposed to be transferred to the Support Services Fund.*

The \$4,476,458 budget amount is related to the Axon and AT&T contracts. The Travis County Interlocal agreement budget is separate from that but is also proposed to be decoupled to FSD in this amendment. Details below:

Travis County Interlocal: \$6,740,737

Axon Contract: \$3,511,173

AT&T Cell Phones: \$965,285

- 7) *From what division within the Reimagine Safety Fund will the \$228,077 be transferred from for the Support Services Fund?*

The \$160,451 is for funding related to two civilian grants coordinators currently budgeted in the Traffic Enforcement division. \$67,626 is for funding related to a civilian facilities maintenance position currently budgeted in the Training division.

- 8) *Please post the final version of APD leadership's revised staff plan with dates of implementation.*

APD will send a memo to Council once the plan is finalized and reviewed by the City Manager's Office.

- 9) *Please provide additional details as to the rationale and implications of the partial reassignment of the DWI Enforcement Unit.*

The DWI Enforcement Unit will be reassigned back to patrol on June 6th. The rationale for this unit being chosen was two-fold: first, members of the unit are being placed on evening and night shifts throughout the city, and will retain their equipment and vehicles necessary to continue their function of DWI enforcement. When not tasked with higher priority calls on patrol, they will be tasked with continuing their DWI enforcement function. Secondly, this unit was selected because DWI enforcement is a function that ALL patrol officers are capable of performing, and as we have to go through the difficult decisions of which units must be reduced or suspended, we are examining whether the function of that unit can be assumed by another unit or by patrol.

10) *What is the timeline and estimated costs for re-establishing a Marshal Program to be managed by the Municipal Court?*

The tentative timeline is 6-18 months and the estimated costs for re-establishing the Marshal Program for the first year \$2.8 million and ongoing costs is \$1.45 million.

11) *Should the items on the 4/22 agenda be approved, please provide the ending balances for the "Immediate Reinvestment Fund," "Reimagine Public Safety Fund" and the "Decouple Fund."*

With the adoption of the FY21 budget, City Council created two funds: the Decouple Fund and the Reimagine Safety Fund. The approved ending balance for the Reimagine Safety Fund and Decouple Fund is \$0. Departments are currently working on estimated budgets as part of the Proposed Budget work that will be completed in the coming weeks which could change the estimated ending balance. Immediate reinvestments from the APD budget were reallocated among 11 department and office budgets, and these reallocations are budgeted within the department or office's operational budget.

12) *Draft Recommendation #4 of the 911 Working Group of the Reimagining Public Safety Task Force recommends the following:*

"Ensure language access for residents with Limited English Proficiency in all emergency response call centers.

a. Establish a standardized language access procedure used by all emergency response for callers with Limited English Proficiency (LEP).

b. Provide culturally and linguistically appropriate outreach and education to ensure the community understands the process and know how to use the services.

c. Call takers must undergo community based cultural competency training and regular refresher training for working with communities with Limited English Proficiency.

d. Text messaging should be added as an option for accessing emergency response."

*In June of 2016, an audit was conducted on City services and language access. The first recommendation of the audit stated that, "in order to address the first three components of the language access framework, the City Manager or designee should establish a stakeholder team including, but not limited to, representatives from the City Manager's Office, the Law Department, HRD management, **the public safety departments**, and members of the public, to design a language access program that:*

- addresses and aligns with the components identified in the language access framework;*
- meets the needs of the Austin community requiring language assistance services;*
- ensures an efficient and effective allocation of resources; and*
- complies with the requirements of Executive Order 13166 and other regulations, as applicable."*

City Management at the time concurred with this recommendation. In addition, the audit noted "a public safety concern related to deaf individuals in an emergency event. The current option to contact and communicate with the 911 call center is to use a TTY phone. Stakeholders from the deaf community noted that this technology is outdated. However, City staff noted a plan to implement a text-to-911 option for emergency services by the end of 2016." Please provide an update on the 2016 plan to implement a text-to-911 option for emergency services. If not implemented, please provide the cost estimate for implementation and operation. Please provide an update on the status of Recommendation #1 as it relates to APD's language access framework, meeting the needs of the Austin community requiring language assistance services, ensuring an effective allocation of resources, and complying with Executive Order 13166.

Please provide information and the departmental policy relating to how emergency response for callers with limited English proficiency are currently routed and interpreted. Please provide the estimated cost for call takers to undergo cultural competency training and regular trainings for engaging with communities with limited English proficiency.

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 13) *Draft Recommendation #5 of the 911 Working Group of the Reimagining Public Safety Task Force calls for a “multilingual education campaign to raise awareness regarding appropriate emergency service use.” What is the estimated cost for such a campaign? Does the contemplated budget for the Emergency Communications Department include funding for such a campaign? Or can this be accomplished by the FTE(s) being transferred to CPIO with funds from CPIO?*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 14) *Draft Recommendation #7 of the 911 Working Group of the Public Safety Reimagining Task Force recommends to “remove any reference to or unfounded training on ‘Agitated Chaotic Event’ or ‘Excited Delirium’ in the Crisis Call Curriculum. Examine if references for this appear in APD training academy or General Orders.” Please verify if these references are included in the revised (or forthcoming) APD cadet training academy materials or APD General Orders.*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 15) *Recommendation #1 and #2 of the Public Health Reinvestment Working Group of the Reimagining Public Safety Task Force calls for a \$4 million community health worker pilot program that would hire 50 Community Health Workers, a \$500k evaluation of the pilot program, and the establishment of a \$4 million community health worker training, certification, and network hub. Recommendation #3 calls for 1,000 Community Health Workers by 2025 at a cost of \$70M. The 2018 Community Health Austin / Travis County 3 Year Action Plan recommended that by 2023, we should increase the employment of certified Community Health Workers (CHWs) and service coordinators by 10% to help residents navigate the health care system and promote health literacy. At the April 7, 2021, Health and Human Services Committee meeting, Austin Public Health stated that they support making a significant investment in a community health worker program but that our community doesn’t have enough training and ongoing job opportunities in our community for community health workers. Can Austin Public Health please provide information about the City’s current level of investment in community health workers, their work with HRD to create a career ladder for public health workers within Austin Public Health, and other information as appropriate to the subject of funding for community health workers?*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 16) *The Public Health Reinvestment Working Group of the Reimagining Public Safety Task Force calls for the City to fund and expand community-based harm reduction services for substance use and misuse. FY 2020-21 Budget Question #32 asked if the proposed budget included any funds for harm reduction and, if so, at what amount. The response included funding related to training on Naloxone, among other responses, though it did not respond to the question of funding for harm reduction services. The response also said that the rewrite of the General Orders will include the use of identified harm reduction strategies. Please provide an update on the rewrite of the General Orders as it relates to harm reduction strategies. Please provide an update on the funds allocated for “substance use continuum of care” from the “immediate reinvestment” category of the FY 2020-21 adopted budget.*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

17) *The Public Health Reinvestment Working Group of the Reimagining Public Safety Task Force calls for a \$14 million Harm Reduction Housing First program. Please describe how a “harm reduction housing first program” differs from the City’s current Housing First approach.*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

18) *The Public Health Reinvestment Working Group of the Reimagining Public Safety Task Force calls for trauma-informed training of public health workers. Please provide information of the City’s current training as it relates to trauma-informed practices and with what regularity City of Austin public health workers receive training on this subject matter. Please provide information about any other training requirements for the City’s social service providers through which the City contracts.*

Further, Resolution No. 20190822-067 directed the City Manager to consider that security personnel at the Austin Resource Center for the Homeless (ARCH) be City employees trained in de-escalation techniques, positive relationship management skills, and trauma-informed care, in a manner consistent with the recommendations from the National Alliance to End Homelessness. Please provide an update on the status of that direction.

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

19) *Per draft recommendation #2 by the Patrol and Investigation Working Group of the Reimagining Public Safety Task Force, please describe any legal or logistical constraints associated with the prospect of EMS assuming Lake Patrol duties. Is EMS supportive of this recommendation?*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

20) *In response to Recommendation #3 by the Patrol and Investigation Working Group of the Reimagining Public Safety Task Force, how many canine bites have occurred over the past 5 years and with which unit (i.e., Criminal Interdiction Unit and Patrol K9 Unit). Please provide the circumstances surrounding these bites. Please also provide a copy of the answer to FY 20-21 Budget Question #112 in this Q&A.*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

21) *Regarding Recommendation #5 by the Patrol and Investigation Working Group of the Reimagining Public Safety Task Force, what percentage of calls over the past 2 years constituted a “self-initiated call”? Please provide the result of self-initiated calls over the past 2 years (i.e., arrest, no arrest, citation, no citation, etc.)*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

22) *Please provide a copy of the Patrol & Surveillance Working Group’s survey.*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

23) *Regarding the recommendation from the Patrol & Surveillance Working Group of the Reimagining Public Safety Task Force relating to the US Marshals’ Lone Star Fugitive Task Force, please provide additional information about the nature and role of APD’s participation. Is it still accurate that the Intelligence and Crime Stoppers Unit participate on this task force? What accounts for the \$1,453,743 cost noted in the recommendation?*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 24) *Regarding the recommendation from the Violence Survivor Services and Prevention Work Group of the Reimagining Public Safety Task Force, how much does the City currently allocate to SAFE's Bridge to Safety Program and what is the length of this contract? How many individuals are served annually through this contract? The recommendation also references the need to broaden eligibility standards. What are the current eligibility standards associated with the City's contract with SAFE for the Bridge to Safety Program?*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 25) *Please provide information regarding Capital Metro's Transit Empowerment Fund, which provides free and deeply discounted passes to other nonprofit and social service-based organizations. Depending on the income of the individuals who utilize the Bridge to Safety Program, would this be an eligible source for SAFE to utilize for bus passes? If this process is not ideal for SAFE's clients, what would be the cost to the City for the proposed 100 – 150 Cap Metro bus passes? (This relates to the Violence Survivor Services and Prevention Work Group of the Reimagining Public Safety Task Force.)*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 26) *Can the training recommended by the Violence Survivor Services and Prevention Work Group of the Reimagining Public Safety Task Force be absorbed by APD's existing training and education budget?*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 27) *The Violence Survivor Services and Prevention Work Group recommends that the City adopt a model where a sexual assault survivor has the option to speak to a patrol officer, a Victim Services counselor, or both, with the counselor being the first point of contact (either by phone or taking the lead on the scene). Is CMO / APD supportive of this model? Are there any legal or logistical barriers that would hinder such a model? Have other cities adopted this model? If so, please provide additional details.*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 28) *The Violence Survivor Services Prevention Work Group of the Reimagining Public Safety Task Force recommends that the City open the list of referring organizations who can access the therapy referral list to any group that serves survivors / victims of harm. Is Victim Services supportive of this recommendation?*

In response to questions 12 – 28 related to the Reimagining Public Safety Task Force Report presented to Council yesterday, staff requires additional time to review and perform further analysis on recommendations within the report. Staff will review all recommendations and provide regular updates to Council.

- 29) *Please provide a copy of the answer to FY 20-21 Budget Question #88 and #116 in this Q&A. What other cities have discontinued mounted patrol?*

See attached for the budget responses.

Staff is researching the cities that have discontinued mounted patrol and will provide an update in the quarterly report on reimagining public safety efforts.

FY 2020-21 BUDGET QUESTION
Response to Request for Information

DEPARTMENT(S): Austin Police

REQUEST NO.: 116

REQUESTED BY: Alter

DATE REQUESTED: 8/3/20

DATE POSTED: 8/9/20

REQUEST: What are the daily duties of Mounted Patrol? How many officers are assigned to that unit?

RESPONSE:

Below are the roles and duties of APD's Mounted Patrol Unit. The unit consists of one Sergeant, two Corporals, ten Officers, and two civilians.

Crowd Control for the Entertainment District: The primary function for Mounted Patrol is crowd control. One well-trained horse with a well-trained rider is equal to 10-15 officers on foot in a crowd control situation. Horses are very effective for crowd control, because a person has a natural respect for a horse and crowd members can see the Mounted Patrol officers as they are eight feet above the ground. Therefore, crowds can see and hear what is happening and have the opportunity to voluntarily move away. The use of the horses is the best and safest way to handle individuals refusing to move from a location they are illegally occupying.

Mounted Patrol has a six-person team in the entertainment district every Thursday, Friday, and Saturday night. Mounted Patrol will respond to all disturbance calls, will escort officers into the crowd, will provide a barrier of protection from the crowd for officers making arrests and breaking up disturbances, and will escort officers and arrestees through the crowd to safe locations where the arrestees can be searched, identified, and processed for booking. Mounted Patrol will also assist escorting ambulances and fire trucks through the crowd and will provide a barrier of protection while firefighters and EMT's work. Mounted Patrol will also offer assistance via taking ground through the crowd to preserve crime scenes. After bars close, Mounted Patrol is responsible for giving warning passes to the crowd, announcing that pedestrians need to move to the sidewalk. After the warning passes are complete, Mounted Patrol will assist bike officers with re-opening 6th Street for vehicular traffic. This is done without ever having to use force on anyone.

Crowd Control for Protests: Mounted Patrol works hand-in-hand with the Special Response Team, Mobile Field Force, and bike police during protests to ensure that citizens can peacefully protest. In the event that an arrest needs to be made, Mounted Patrol will escort the arrest team into the crowd and provide a barrier of protection to the arrest team while they make their arrest. Once the arrest is complete Mounted Patrol will escort the arrest team and arrestee out of the crowd to a safer location. Mounted Patrol can also be used to separate two opposing crowds, move a crowd from I-35 or ramps, move a crowd away from a building or vehicle, and any other crowd movement situation that can be considered.

Community Policing: While one six-person team is working night shift on the weekends, another team is working daytime during the week. This team of Mounted Patrol officers will primarily focus on attending community events, such as children's school events, job fairs, church events, and any other community event requested. People are naturally drawn to horses and will often engage with the horses, which includes talking to and connecting with the mounted officers.

Search and Rescue: Mounted Patrol officers are trained and available to provide evidence or person searches for investigative units. Officers on horses can get through terrain a foot officer cannot, are more visible, and can cover ground quicker. Mounted Officers are trained in different formations that are effective in searching for evidence in large fields and can cover these areas quickly.

High Profile Patrol: During the daytime hours, Mounted Patrol officers are patrolling the parks and neighborhoods of Austin. This patrol deters crime from occurring in the parks so citizens can enjoy the use of the park safely. When Mounted Patrol is deployed in high crime neighborhoods, citizens are more likely to come out and talk to the officers due to the horse, unlike a patrol car moving through the neighborhood quickly.

FY 2020-21 BUDGET QUESTION
Response to Request for Information

DEPARTMENT(S): Austin Police

REQUEST NO.: 88

REQUESTED BY: Pool

DATE REQUESTED: 8/3/20

DATE POSTED: 8/5/20

REQUEST: How much money do we spend on the horses for the mounted patrol, including the stables?

RESPONSE:

The FY 2020-21 Proposed Budget for the Mounted Patrol unit, excluding sworn personnel, that is allocated toward budget items related to the care of the horses includes the following:

Civilian Personnel (3 stable attendants: 1 currently filled; 2 vacant):	\$182,447
Food/Storage:	\$56,000
Rent (Stables):	\$55,000
Veterinary Services:	\$42,000
Animal Supplies:	\$19,000
Farrier Service:	\$13,000
Minor Equipment:	\$14,000
Maintenance:	\$5,000

Total Budget (including civilian personnel and excluding sworn personnel):	\$386,447
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Council Question and Answer

Related To

Item #24

Meeting Date

April 22, 2021

Additional Answer Information

Authorize negotiation and execution of an agreement with Life Anew Restorative Justice, Inc. to provide academic and personal development services to youth to reduce harm and violence, for a term of May 1, 2021 through March 31, 2022 in an amount not to exceed \$620,000, with two 12-month renewal options each in an amount not to exceed \$620,000, for a total agreement amount not to exceed \$1,860,000.

QUESTION/ANSWER: Council Member Alter's Office

1) The back-up indicates that these funds are a part of the Reimagining Public Safety initiative. From which bucket(s) of funding is this item proposed to be funded out of?

The funding for this agreement is out of the \$1,125,000 Reimagining Public Safety that was added to APH's FY21 social service budget for immigrant services, mental health, family violence prevention.

2) What school districts will be served by this organization and how many students are anticipated to be served through this contract? How are students engaged through this contract - are these services provided on-campus? If so, which campuses?

Initial program sites include Perez Elementary School (Austin ISD), American Youthworks (Charter School), LBJ High School (Austin ISD), Akin High School (Austin ISD), and Community pods. Additional sites may be integrated during the year. Life Anew anticipates serving up to 500 students in the first year. Clients are referred to the program by sponsors at school, service organizations, parents, or other community members. The program services include behavioral development, counseling, mentorship, academic tutoring, soft skills development, and domestic violence prevention services.

The length of program involvement and services provided will be tailored to meet each client's individual needs.



Council Question and Answer

Related To

Item #35

Meeting Date

April 22, 2021

Additional Answer Information

Authorize negotiation and execution of a community facilities agreement with Grey Forest Development, L.L.C., for Grey Forest's cost participation in an amount of up to \$720,000, for public storm drain improvements to be constructed by the City along North Lamar Boulevard between 51st Street and North Loop Boulevard.

QUESTION/ANSWER: Council Member Alter's Office

1) What steps are being taken to use this information and experience for future Project Connect planning?

Since passage of the bond in fall 2020 the City's Project Connect Office has been closely coordinating with all City utility departments to understand the scope of the utility impacts and establish criteria for potential utility relocations and protections along the length of the Orange and Blue Line transit corridors. The information derived from these work sessions has been useful to identify alternative options for development driven utility work that may be impacted by the future rail construction. WPD is developing project specific mapping of the known intersections of storm drain locations (in addition to environmental buffers and floodplains) along the rail alignment to advise City departments where opportunities for alternative approaches to public-private partnerships may be in the best interest of the utilities and the rail construction. In addition, Project Connect is building their utility coordination team and will be looking at all proposed infrastructure in or near the Project Connect corridor to ensure that it will not conflict with future program proposed improvements through collaboration with the Austin Utility Location and Coordination Committee.



Council Question and Answer

Related To

Item #54

Meeting Date

April 22, 2021

Additional Answer Information

Authorize negotiation and execution of a multi-term contract with Joyce James Consulting, to provide consultation services to City management to ensure successful implementation of Reimagining Public Safety efforts, for up to five years in an amount not to exceed \$2,900,000.

QUESTION/ANSWER: Council Member Alter's Office

1) Please provide an itemized list for each cost component of the contract.

The timelines for the total 58 days of consultation in the first 12 months will be developed in consultation with City Manager, Reimagining Public Safety Executive Leadership, and Contract Manager. Costs associated with the work are \$10,000 per day for a total of \$580,000 per year.

2) How many people will be working on the Joyce James consulting team for this contract?

There are seven consultants that work on the Joyce James Consulting team that will work on this project.

In May 2020, the City hired Joyce James Consulting to work in collaboration with the Equity Office to provide a comprehensive review of findings and recommendations of previous studies related to inequities in APD and to perform a broader cultural assessment and identify an intervention process. This contract will expand and extend Joyce James Consulting's work, to ensure successful implementation of the City's Reimagining Public Safety efforts, including facilitating the Ground Water analysis services for APD leadership and staff at all levels, focusing on understanding institutional and structural racism.

Joyce James Consulting (JJC) shall dedicate up to 18 days for the first six months of this agreement and thereafter up to 18 days each fiscal year for consultation with Executive Leadership. This will include attending monthly executive meetings, reviewing status of policy and program implementation and developing specific process for monitoring and evaluating progress, and maintaining regular communication with City Manager and City's Contract Manager.

The consultant will also make appearances at community events, committee meetings, task force sessions, and council meetings as needed. JJC will dedicate 40 days over the next 12 months and each 12 months thereafter to ongoing consultation and implementation of the Texas Model as per deliverables included in the scope of work for a period of up to five years.